

1 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

2 COUNTY OF LOS ANGELES

3 RELIGIOUS TECHNOLOGY *
4 CENTER, a California Non- *
5 Profit Religious *
6 Corporation, CHURCH OF *
7 SCIENTOLOGY INTERNATIONAL, *
8 a California Non-Profit *
9 Religious Corporation, *
10 CHURCH OF SCIENTOLOGY OF *
11 CALIFORNIA, a California *
12 Non-Profit Religious *
13 Corporation, *

9 Plaintiffs

NO. BC 033035

10 VS.

11 JOSEPH A. YANNY, an *
12 Individual, and JOSEPH A. *
13 YANNY, a Professional Law *
14 Corporation, *

14 Defendants

15 ORAL DEPOSITION OF
16 VICKI AZNARAN

17 On the 14th day of April, 1992, at 10:00
18 a.m., the oral deposition of the above-named
19 witness was taken at the instance of the Plaintiffs
20 before Tierney Burgett, Certified Shorthand
21 Reporter in and for the State of Texas, at the
22 offices of Stanley, Harris, Rice & Associates, 3100
23 McKinnon, Suite 1000, in the City of Dallas, County
24 of Dallas, State of Texas, pursuant to subpoena and
25 the agreement stated on the record herein.

COPY

A P P E A R A N C E S

WILLIAM T. DRESCHER
23679 Calabasas Road, Suite 338
Calabasas, California 91302

Appearing for the Plaintiffs

LEWIS, D'AMATO, BRISBOIS & BISGAARD
221 North Figueroa Street, Suite 1200
Los Angeles, California 90012

By: Graham E. Berry

Appearing for the Defendants

KAREN E. McRAE
2909 Cole, Number 210
Dallas, Texas 75204

Appearing for the Witness

ALSO PRESENT:

Matt Ward

I N D E X

WITNESSPAGE

VICKI AZNARAN

EXAMINATION BY MR. DRESCHER

4

DEPOSITION EXHIBITSIDENTIFIED

1 - Substitution of attorney

107

2 - Declaration of witness

119

3 - Declaration of witness

129

4 - Substitution of attorney

134

1 VICKI AZNARAN,
2 the witness hereinbefore named, being first duly
3 cautioned and sworn to testify the truth, the whole
4 truth and nothing but the truth, testified under
5 oath as follows:

6 MR. DRESCHER: What I'd anticipate
7 is, at the conclusion of the deposition that the
8 original could be sent to Ms. McRae.

9 MS. McRAE: That's fine.

10 MR. DRESCHER: And that Ms. Aznaran
11 can execute it, not with a notary, but under the
12 provisions of the California law, that it can be
13 signed under declaration of the penalty of perjury,
14 to save the notary expense.

15 We're a little over a month from
16 the trial date, so I'd ask that it be a two-week
17 turnaround, that Ms. Aznaran have two weeks from
18 the time that you receive it in which to review the
19 deposition transcript, make any changes she deems
20 necessary, execute it under penalty of perjury, and
21 then have the original returned to the offices of
22 Bowles & Moxon.

23 MS. McRAE: Not to the court
24 reporter?

25 MR. DRESCHER: No. We will relieve

1 the court reporter of any duty that she may have.
2 Under California law that's permissible, and it
3 simply can be executed by Ms. Aznaran, and then you
4 or she can mail it to Bowles & Moxon. Would that
5 be okay?

6 MS. McRAE: That's fine.

7 MR. DRESCHER: Any other thing you
8 want to add to that?

9 MR. BERRY: In the absence of an
10 executed copy, an unsigned copy may be used for the
11 purposes of any motions, hearings --

12 MR. DRESCHER: That would be in the
13 event that either Ms. Aznaran doesn't sign the
14 original or it's not returned to Bowles & Moxon.

15 MR. BERRY: Or a proceeding takes
16 place before that occurs.

17 MR. DRESCHER: That's correct.

18 Is that okay with you, Ms. McRae?

19 MS. McRAE: That's fine.

20 MR. DRESCHER: Anything further that
21 we want do to in that regard?

22 MR. BERRY: No.

23 MR. DRESCHER: Not as far as I'm
24 concerned either.

25 EXAMINATION

1 BY MR. DRESCHER:

2 Q. Ms. Aznaran, is there any reason you can
3 think of why we shouldn't just begin and conclude
4 this today?

5 A. A whole lot, but none that are relevant
6 to this, I guess.

7 Q. You're a plaintiff in a case styled Vicki
8 Aznaran and Richard Aznaran versus Church of
9 Scientology of California, et al, are you not?

10 A. Right.

11 Q. And that case is pending in the United
12 States District Court for the Central District of
13 California?

14 A. Judge Ideman's court.

15 Q. Okay. Thank you.

16 For the sake of simplicity I'll call it
17 the Aznaran case, if that's okay with you.

18 A. Fine.

19 Q. By the way, you have been deposed before.
20 I know that, and so I'm not going to go through
21 those preliminaries. You have in mind what you're
22 doing here today and why we've come here?

23 A. I know how a deposition is done, if
24 that's what you're asking.

25 Q. That's what I'm asking. All we ask is,

1 that you wait for me to finish my question before
2 beginning your answer, and I will try to show you
3 the same courtesy. Okay?

4 A. Yes.

5 Q. And that your answers be audible, as they
6 have been.

7 It is correct that the Aznaran case was
8 filed on or about April 1st, 1988, isn't it?

9 A. Yeah, I believe that's right.

10 Q. During the course of that -- the pendency
11 of the Aznaran case, you were for a time
12 represented by Barry Van Sickle, were you not?

13 A. That's correct.

14 Q. For a time after -- well, Mr. Van Sickle
15 was disqualified at some point; is that correct?

16 A. Yes.

17 Q. And for a period of time after his
18 disqualification you and your husband represented
19 yourself in pro per; isn't that right?

20 A. Yes.

21 Q. After that period did you hire, as
22 counsel of record for that case, Mr. Ford Greene?

23 A. Yes.

24 Q. Do you recall approximately when that
25 was?

1 A. No.

2 Q. Would it seem consistent with what
3 recollection you may have, that it was early in
4 1989 that Mr. Greene became your counsel of record?

5 A. Could have been. I don't know.

6 Q. So whatever the court records say?

7 A. Yeah. I'm sure they tell the story.

8 Q. Okay. And then at some point in 1991 you
9 and your husband again substituted yourselves in as
10 counsel of record in the Aznaran case in place of
11 Mr. Greene, didn't you?

12 A. Yes.

13 Q. Do you recall about when that was?

14 A. Mid-'91.

15 Q. Right.

16 A. Sometime around there.

17 Q. Around June?

18 A. Probably.

19 Q. And do you recall that after that, that
20 you substituted into that case, as your counsel of
21 record, Joseph A. Yanny?

22 A. Yes.

23 Q. Is it correct that at some point after
24 Mr. Yanny's substitution into the case, his
25 appearance was rescinded by an order of Judge

1 Ideman?

2 A. I believe that's right. I'm not certain
3 what papers I saw and what I didn't and who said
4 what.

5 Q. Well, Mr. Yanny ceased to be counsel of
6 record for you in that case shortly after he came
7 on board, didn't he?

8 A. Right.

9 Q. Do you recall that that court order that
10 removed Mr. Yanny as your counsel of record, also
11 reinstalled Ford Greene as your counsel of record?

12 A. I don't know that the same order did it.
13 I know Judge Ideman reinstated Ford Greene.

14 Q. After removing Mr. Yanny or along with;
15 is that right?

16 A. I would assume, yeah.

17 Q. Is the sequence of your representation,
18 to the point we've now covered, Barry Van Sickle,
19 followed by a period of in pro per representation,
20 followed by Mr. Greene, followed by in pro per
21 representation, followed by Mr. Yanny and followed
22 by Mr. Greene? Is that correct?

23 A. Yes.

24 Q. Then after that you associated a John
25 Elstead as co-counsel with Mr. Greene, did you not?

1 A. Yes.

2 Q. And in the period after that Mr. Elstead
3 has become your only counsel of record; isn't that
4 correct?

5 A. I think so.

6 Q. You're not certain?

7 A. I'm not sure about that.

8 Q. Not certain.

9 Is it fair to say, Ms. Aznaran, that for
10 the bulk of the time that that case has been
11 pending, your counsel of record was Ford Greene?
12 Bulk is a little vague. Let me try again.

13 A. That would be really hard to say.

14 Q. Is it your recollection that Mr. Greene
15 has been your counsel of record in the Aznaran case
16 for the majority of time in which it's been
17 pending?

18 A. No.

19 Q. For about how long do you estimate Mr.
20 Greene to have been your counsel of record in the
21 Aznaran case?

22 A. I don't know.

23 Q. You have nothing on which to base an
24 estimation?

25 A. I would have to look at the papers and

1 try to see.

2 Q. Do you know whether or not a trial date
3 in the Aznaran case is presently set?

4 A. I don't believe it is.

5 Q. Are you aware whether any trial date has
6 ever been set in the Aznaran case?

7 A. I believe it has in the past, maybe once
8 or twice. I don't know.

9 Q. Do you recall what the most recent trial
10 date set in that case was?

11 A. No. I don't even recall for sure that
12 there was one.

13 Q. Do you have any recollection of a trial
14 date being taken off the calendar by the court
15 after stipulation entered into between the counsel
16 for the defendants and Mr. Greene?

17 A. No. I may have known it at the time, but
18 I don't remember it now.

19 Q. Do you recall having seen a stipulation
20 signed by Mr. Greene agreeing to a continuation of
21 the trial date in the Aznaran case?

22 A. No.

23 Q. Do you have any knowledge of why the more
24 recent -- the most recent trial date was taken off
25 the calendar by the court?

1 A. Well, I know that Scientology doesn't
2 like Mr. Ideman and they're trying to get rid of
3 him. That's all I know.

4 Q. How did you become aware of that?

5 MS. McRAE: I'll object if she
6 became aware of anything through talking to her
7 lawyers.

8 Q. Did you become aware of the fact that the
9 trial date had been vacated because of some action
10 by the defendants, through anyone other than Mr.
11 Greene?

12 A. I don't recall.

13 Q. Did Mr. Greene ever consult you about any
14 continuation of the trial date in the Aznaran
15 case? Yes or no.

16 A. Probably.

17 Q. Do you have any recollection of him doing
18 so?

19 A. Not specifically, no.

20 Q. Do you recall reviewing any drafts of any
21 stipulation affecting the trial date of the Aznaran
22 case prepared by Mr. Greene or submitted to you by
23 Mr. Greene?

24 A. No.

25 Q. Do you recall any conversation in which

1 Mr. Greene discussed the continuation of the trial
2 in the Aznaran case by stipulation?

3 MS. McRAE: That's just a yes or
4 no.

5 MR. DRESCHER: That's correct.

6 A. Could you give me that again?

7 Q. Sure. Do you recall ever having a
8 telephone conversation with Ford Greene in which he
9 discussed the possibility of stipulating to a
10 continuation of the trial date in the Aznaran case?

11 A. Not specifically, no. I mean, he very
12 well could have. I just don't specifically
13 remember it.

14 Q. Do you recall any correspondence from Mr.
15 Greene concerning a stipulation to continue the
16 trial date in the Aznaran case? Yes or no.

17 A. Not specifically, no.

18 Q. Do you recall whether you ever agreed to
19 continue the trial date by stipulation in the
20 Aznaran case?

21 MR. BERRY: At this point I'd enter
22 an objection to this whole line of questioning as
23 it pertains to this particular litigation.

24 MR. DRESCHER: It's your affirmative
25 defense that I am plumbing here. I know, I

1 understand.

2 Q. Do you have the question in mind, Ms.
3 Aznaran?

4 A. No.

5 Q. Did you at any time agree to a
6 continuation of the Aznaran trial date by
7 stipulation?

8 A. I don't recall.

9 Q. Ms. Aznaran, are you aware of when the
10 discovery cutoff -- do you know what a discovery
11 cutoff date is?

12 A. I believe I understand.

13 Q. What does the term mean?

14 A. After a point where you can't take any
15 more discovery.

16 Q. In a lawsuit, right?

17 A. Right.

18 Q. Do you recall -- or I should say, do you
19 know when the discovery cutoff date is in the
20 Aznaran case?

21 A. I believe it's already been.

22 Q. You believe it's already passed?

23 A. I believe so.

24 Q. Do you recall when?

25 A. No.

1 Q. Did you ever have any communication --
2 this is a yes or no question, by the way. Did you
3 ever have any communication with Mr. Greene
4 concerning any motion to extend the discovery
5 cutoff date in the Aznaran case?

6 A. I don't recall.

7 Q. Do you recall whether or not you
8 authorized Mr. Greene ever to make a motion to
9 extend the discovery cutoff date in the Aznaran
10 case? Again, yes or no.

11 MS. MCRAE: I'd object to the word
12 authorize. I think pretty much you authorize your
13 attorney to do what needs to be done. It may be
14 specific authorizations that you're talking about.

15 MR. DRESCHER: All right. Let me
16 see if I can't rephrase that, taking into account
17 your objection.

18 Q. You don't recall whether you ever
19 consulted with Mr. Greene about the issue of
20 extending the discovery cutoff date in the Aznaran
21 case, do you?

22 A. I think that's what I said, yeah.

23 Q. Okay. Do you recall ever seeing any
24 motion filed by Mr. Greene on your behalf to extend
25 the discovery cutoff date in the Aznaran case?

1 A. I don't recall one.

2 Q. Do you recall two?

3 A. No. If I didn't recall one, I wouldn't
4 recall two.

5 Q. Do you have any knowledge as to whether
6 the discovery cutoff date in the Aznaran case was
7 twice extended due to motions filed on your behalf
8 by Mr. Greene?

9 A. That seems right, but it might not be. I
10 don't really remember the details through the
11 discovery cutoff and that type of thing.

12 Q. Did Mr. Greene move for such -- either of
13 such cutoff date extensions without authorization?
14 Yes or no.

15 A. He wouldn't have done things without my
16 authorization, I don't believe, or Richard's
17 authorization. He could well talk to Richard about
18 it. I don't know.

19 Q. But you don't have any current
20 recollection of having discussed such a discovery
21 cutoff date with Mr. Greene. Is that right?

22 A. Say that again.

23 Q. You don't have any recollection of
24 having discussed any such discovery cutoff
25 extension with Mr. Greene. Is that correct?

1 A. No, I don't recall it.

2 MR. BERRY: For the record, I'd
3 like a continuing objection to this entire series
4 of questions.

5 MS. McRAE: I've got to object too,
6 because I don't -- everything you're asking can be
7 either found in the court file or it's going to be
8 privileged.

9 MR. DRESCHER: I've been real
10 careful, Ms. McRae --

11 MS. McRAE: I know you have.

12 MR. DRESCHER: -- to ask no
13 questions about whether Ms. Aznaran was aware of or
14 had discussed certain things with her attorney. I
15 haven't asked for the content, and I will endeavor
16 to continue to be careful in that regard.

17 MS. McRAE: But we're not going to
18 sit and do discovery in her case either. Maybe I
19 don't know enough about you-all's case, but I fail
20 to see what in the world anything in her case has
21 to do with this case, except up to a point in the
22 summer of '91.

23 MR. DRESCHER: Just to help you out
24 in that regard, among the affirmative defenses
25 asserted by Mr. Yanny are various ones concerning

1 the period to which you refer, and testimony of
2 other deponents in this case concerns actions taken
3 by Mr. Greene or not taken by Mr. Greene without
4 his client's authorization in this Aznaran case.
5 And I believe we will pass this soon enough, but I
6 just wanted to cover that with some sort of
7 particularity to avoid having to retrace a lot of
8 steps later on.

9 MS. McRAE: I'm going to tell you,
10 if she can recall any discussions about her case
11 with Ford Greene, we're not going to testify to
12 them. We're not going to testify to Mr. Greene's
13 abilities or anything else, or what their
14 agreements were between them.

15 MR. DRESCHER: Well, I haven't
16 asked any questions like that.

17 MS. McRAE: Okay.

18 MR. BERRY: I certainly don't recall
19 the testimony to which you're referring.

20 MR. DRESCHER: The testimony to
21 which I'm referring was actually referred to by Mr.
22 Parker, testified to by Mr. Van Sickle. He
23 referred to -- Parker referred to it at my
24 deposition, and Mr. Van Sickle testified about it.
25 I was not -- excuse me, so did I, now that I think

1 about it. I think it evolved rather fast.

2 Q. Ms. Aznaran, do you have any knowledge of
3 how many interrogatories Mr. Greene propounded in
4 the Aznaran case?

5 A. No.

6 Q. Do you have any knowledge of the total
7 time period by which the discovery cutoff date was
8 extended on account of motions made by Mr. Greene?

9 A. I don't know. I mean, I may have at one
10 time, but I don't remember now.

11 Q. Do you know how many depositions Mr.
12 Greene has conducted himself in the Aznaran case?

13 A. No.

14 Q. Do you know how many depositions have --

15 A. No. I really don't know.

16 Q. Do you know how many depositions have
17 been conducted on your behalf by notice, by your
18 counsel in the Aznaran case?

19 A. No.

20 Q. Are you aware of any motion filed by Mr.
21 Greene in the Aznaran case, other than one seeking
22 to extend the discovery cutoff?

23 A. I don't know what all motions he's
24 filed. I'd have to look it up.

25 Q. Do you know that he's filed any other

1 than motions to extend the discovery cutoff date?

2 A. I couldn't say specifically.

3 Q. Don't know one way or the other?

4 A. Right.

5 Q. Who is Charles F. Eick?

6 A. He's a magistrate in Judge Ideman's
7 court, I believe.

8 Q. Do you know what Local Rule 9 of the
9 Central District of California, U.S. District Court
10 is?

11 A. No, I don't.

12 Q. Have you ever heard the Local Rule 9
13 referred to?

14 A. No.

15 Q. Do you know how many times, if any, Mr.
16 Greene has physically appeared before Judge Ideman
17 in the Aznaran case?

18 A. I have no idea.

19 Q. Nothing upon which to base an estimate?

20 A. No.

21 Q. Can you estimate the number of
22 oppositions to motions that Mr. Greene filed on
23 your behalf in this Aznaran case?

24 A. I have no idea.

25 Q. Is it more than 10, do you think?

1 A. I have no idea. I know I have file
2 cabinets worth of papers. I have no idea who's
3 filed what or how many.

4 Q. I'm sure we all do.

5 Do you know if Mr. Greene ever filed an
6 opposition to a motion in the Aznaran case late?

7 A. I couldn't say specifically that's what
8 he filed late. He filed something late, but I
9 don't know that's what it was.

10 Q. Do you have one thing in mind that he
11 filed late?

12 A. I specifically remember one thing was
13 filed late.

14 Q. But you don't have a recollection, as you
15 sit here today, of what that was?

16 A. No.

17 Q. Do you have a recollection of Mr. Greene
18 filing as many things as 20 things late in the
19 Aznaran case?

20 A. I have no idea.

21 MR. BERRY: I'd again object. Mr.
22 Greene's conduct in the Aznaran case is a matter
23 for subjective evaluation by this witness, not an
24 objective evaluation.

25 MR. DRESCHER: I think that's

1 correct. I think you're absolutely correct about
2 that. However, my question was meant to objectify
3 several things.

4 Q. When's the last time, Ms. Aznaran, that
5 you spoke to Margery Wakefield?

6 MS. McRAE: I object to that being
7 totally irrelevant, unless you can tell me what in
8 the world that has to do with this lawsuit.

9 MR. DRESCHER: Okay. Well, let
10 me --

11 MS. McRAE: I'm going to think that
12 you're just getting into discovery in the other
13 one.

14 MR. DRESCHER: Well, heaven's sake,
15 I can correct that misimpression.

16 Q. Do you recall telling Barry Van Sickle,
17 Ms. Aznaran, that you or your husband had had a
18 discussion with Margery Wakefield about Mr.
19 Greene's representation of her?

20 MS. McRAE: And I am going to object
21 to attorney-client privilege, if this discussion
22 was with Barry Van Sickle, especially if you can't
23 give me a date and time, because obviously he was
24 representing her at one point and has a continuing
25 duty, and then again, stepped into -- he again

1 began representing her, as far we're concerned, in
2 the summer of '91.

3 MR. DRESCHER: All right. Let me
4 rephrase it and try to take care of that and
5 correct some of Ms. McRae's foundational concern.

6 Q Did you, Ms. Aznaran, in the period from
7 January through June of 1991 -- and I am asking for
8 a yes-no answer only -- ever have a discussion with
9 Barry Van Sickle about Margery Wakefield?

10 A. I don't recall one.

11 Q. Do you have any recollection in the
12 period of the year 1990 of having a discussion with
13 Barry Van Sickle about Margery Wakefield?

14 A. Seems like I referred her to him, but I
15 don't know if that was 1990. I have no idea.

16 Q. You believe you may have referred Ms.
17 Wakefield to Mr. Van Sickle. Is that right?

18 A. Yes.

19 Q. Ms. Wakefield had consulted you
20 concerning the possibility of finding counsel. Is
21 that right?

22 A. Right.

23 Q. Are you aware that Ms. Wakefield was ever
24 represented by Mr. Greene or not?

25 A. Yes, she was.

1 Q. In this instance that you've identified,
2 do you recollect whether at the time you referred
3 Ms. Wakefield to Mr. Van Sickle, Ms. Wakefield was
4 being represented by Mr. Greene?

5 A. She didn't have an attorney at that time.

6 Q. Did Ms. Wakefield ever recount to you the
7 circumstances of her termination of her legal
8 representation by Mr. Greene? Yes or no.

9 A. Yes.

10 Q. Okay. And what did she tell you about
11 that?

12 A. That they had disagreements of some
13 sort. I don't really recall what they were.

14 Q. Did she tell you about --

15 A. About papers being filed or something.

16 Q. Is it your recollection that she gave you
17 no detail about her experience with Mr. Greene?

18 A. I don't really know. She may have; I
19 just don't remember it now.

20 Q. Did she mention anything about late-filed
21 papers?

22 A. Seems like something about papers she
23 didn't like or didn't like the papers or something.

24 Q. Did she say anything about commitment
25 papers?

/

1 A. I don't recall anything about commitment
2 papers.

3 Q. In the course of the -- was there only
4 one such discussion that you had with Ms. Wakefield
5 on this subject?

6 A. That's all I recall.

7 Q. In the course of that conversation -- by
8 the way, was it by telephone?

9 A. Yes.

10 Q. In the course of that telephone
11 conversation, have you got any better recollection
12 of when it was?

13 A. It's been some time ago.

14 Q. Your best guess is sometime in 1990 or
15 before; is that right?

16 A. It was a long time ago.

17 Q. It wasn't in that first six months of
18 '91? I believe you testified to that.

19 A. I don't think so.

20 Q. In the course of that telephone
21 conversation with Ms. Wakefield, did she tell you
22 anything about the personal disagreements she had
23 had with Mr. Greene, if any?

24 A. I don't recall any personal -- discussion
25 about personal disagreements.

1 Q. How long a phone call was it?

2 A. I don't really remember.

3 Q. Did she call you or did you call her?

4 A. I don't remember.

5 Q. Do you recall anything else of the
6 conversation between you and Ms. Wakefield at that
7 time?

8 A. No.

9 Q. Do you recall relating the substance of
10 that telephone call with Ms. Wakefield to Mr.
11 Van Sickle?

12 A. I may have, but I don't specifically
13 recall it.

14 Q. Did Ms. Wakefield ever recount to you any
15 story or anecdote about an appearance by Mr. Greene
16 in a federal court in Florida on her behalf?

17 A. Well, I think that's where he represented
18 her, in Florida, but I don't remember a specific
19 incident about Florida, but I think he represented
20 her in a case in Florida, if my memory is right.

21 Q. In your own words, would you please
22 describe for me, as best you can remember, what Ms.
23 Wakefield told you specifically about her
24 termination of Mr. Greene as her counsel?

25 A. She said she had disagreements with him,

1 something about papers, seems like the way I
2 remember it now. I don't know if he filed them
3 wrong, she didn't like what he wrote, or whatever,
4 and she was looking for another lawyer and did I
5 know of any, and I told her she could call Barry.

6 Q. Did you suggest anyone to her besides
7 Barry?

8 A. I don't think so.

9 Q. By Barry, we mean Barry Van Sickle,
10 right?

11 A. Yes.

12 Q. Now, other than Ms. Wakefield, did you
13 have any telephone conversation or in-person
14 communication with anyone else about Mr. Greene's
15 representation of them?

16 A. I don't recall any.

17 Q. Have you ever heard the name Gutfreund?

18 A. Yeah.

19 Q. Who is Mr. and Mrs. Gutfreund, from your
20 awareness?

21 MR. BERRY: Can you spell it,
22 Counsel?

23 MR. DRESCHER: Sure. It's
24 G-U-T-F-R-E-U-N-D.

25 A. He's a friend of Margery Wakefield's.

1 Q. Have you ever met him?

2 A. No.

3 Q. Do you know his first name?

4 A. I think I did, but I don't recall it
5 right now.

6 Q. Me too.

7 Have you ever spoken with Mr. Gutfreund
8 at all?

9 A. On the telephone.

10 Q. On how many occasions?

11 A. Once or twice.

12 Q. When was that?

13 A. I don't remember. Probably around the
14 same time that I talked to Margery.

15 Q. Do you remember whether you called him or
16 he called you?

17 A. I believe he called me.

18 Q. Both times?

19 A. I'm not sure. It was twice.

20 Q. But you believe he called you. Is that
21 correct?

22 A. Are you telling me that?

23 Q. I'm asking you. I'm not sure that I
24 heard your answer.

25 A. Oh, I don't really know. I think he

1 called me.

2 Q. But you're not certain?

3 A. No.

4 Q. Okay. Do you remember whether, during
5 the course of your telephone conversation with Mr.
6 Gutfreund, the subject of Ford Greene's
7 representation of him arose?

8 A. Yes. And I think that's why he called
9 me, because he wanted to talk about -- Ford
10 represented him and he felt like Ford was not
11 treating him nicely.

12 Q. Did he tell you that he had sued Ford
13 Greene?

14 A. No.

15 Q. Did he mention that he was
16 contemplating suing Ford Greene as a result of
17 Greene's representation of him?

18 A. I don't know. He may have.

19 Q. Did he, in the course of that telephone
20 conversation, ask you if you might be able to refer
21 him to some lawyer to represent him?

22 A. No, I don't think so.

23 Q. Did you make any such referral?

24 A. I don't recall making one.

25 Q. Did he have a lawyer at the time he

1 talked to you, other than Ford Greene?

2 A. Seems like he did.

3 Q. Do you know who it was?

4 A. No.

5 Q. Have you ever been aware of the identity
6 of a lawyer representing Mr. Gutfreund in a case
7 against Ford Greene?

8 A. Yeah, just Elstead. I subsequently
9 became aware that he did.

10 Q. But not at the time that you had this
11 phone call with him?

12 A. No. But he had another lawyer on
13 something else, not John Elstead.

14 Q. The other lawyer on something else didn't
15 involve Ford Greene?

16 A. Yes. It was on his case, or something,
17 or it was a co-counsel with Ford Greene.

18 Q. He had replaced Ford Greene or
19 co-counseled someone?

20 A. Co-counsel, I believe.

21 Q. Is it your recollection, at the time you
22 had this telephone conversation with Mr. Gutfreund,
23 that he had not yet sued Ford Greene?

24 A. I don't really remember.

25 Q. You were aware, though, that he had

1 brought action against Ford Greene, became aware at
2 some point?

3 A. At some point, yes.

4 Q. I understand you've testified that you're
5 not certain whether you had one or two telephone
6 conversations with Mr. Gutfreund. Does having
7 recounted what you've now recounted help you
8 remember whether there was more than one?

9 A. Seems like one.

10 MR. BERRY: Bill, if you go into
11 this area, I will take it to be an entitlement for
12 us to do discovery in this same area as to who, if
13 anyone, stood up for Greene's clients and whether
14 those people were involved with the church,
15 specifically with Gene Ingram and his investigators
16 who were involved in all of this.

17 MR. DRESCHER: Whatever you want to
18 reserve, Graham, is up to you. I'm entitled to
19 inquire into areas that are relevant to the
20 affirmative defenses.

21 Q. Ms. Aznaran, did you have any other
22 communication with any other clients of Mr.
23 Greene's at or around the time that you spoke with
24 Ms. Wakefield and Mr. Gutfreund?

25 A. I don't remember any.

1 Q. You have -- I believe you testified --
2 correct me if I'm wrong -- that Mr. Gutfreund might
3 have gotten your name from Ms. Wakefield. Is that
4 correct?

5 A. Probably. He's a friend of hers.

6 Q. Do you recall whether you ever told Mr.
7 Van Sickle about your telephone conversation with
8 Mr. Gutfreund?

9 A. I may have. I don't recall it
10 specifically, no.

11 Q. Do you recall -- and I am not asking for
12 a date now, but have in mind the time period in
13 which Mr. Van Sickle was disqualified as your
14 counsel in the Aznaran case. Do you have that in
15 mind?

16 A. Yeah.

17 Q. Through that time through your period of
18 pro per representation filed in that and -- in
19 fact, let me start over. I'm getting a little
20 convoluted here.

21 Do you have in mind the approximate
22 period in which Mr. Greene first became your
23 counsel of record in the Aznaran case?

24 A. Okay. Yeah.

25 Q. Does early 1989 ring any bells in that

1 regard?

2 A. Could have been."

3 Q. Whatever the records show, they show?

4 A. Right.

5 Q. From that time until June of 1991, could
6 you just give me a narrative of what steps you
7 believe Mr. Greene took to forward the prosecution
8 of the Aznaran case, and that is --

9 MR. BERRY: Once again, relevance.

10 MR. DRESCHER: Excuse me, let me
11 finish, and then you can object away, both of you.

12 Q. I'm not asking for anything confidential.
13 I'm merely asking about actions of which you're
14 aware, that are part of the public record, that Mr.
15 Greene undertook on your behalf.

16 MS. McRAE: Objection;
17 attorney-client privilege, work product. And I am
18 going to instruct her not to answer.

19 MR. BERRY: And I add my relevancy
20 objection. All that's material was her state of
21 mind as to Ford Greene, not what steps he actually
22 did or did not take.

23 MR. DRESCHER: Well, I'm not going
24 to validate your objection, but I will say that
25 your characterization is exactly correct.

1 Ms. McRae, I understand that you
2 instructed her not to answer. Is that correct?

3 MS. McRAE: Yes.

4 MR. DRESCHER: Thank you.

5 Q. It's true, isn't it, Ms. Aznaran, that
6 you filed a declaration in the Aznaran case stating
7 that the reason you discharged Mr. Greene in June
8 of 1991 is that you didn't have any faith in his
9 ability to prosecute the action through trial?

10 A. Give me that again.

11 Q. Sure. Did you or did you not file a
12 declaration in the Aznaran case in July of 1991 in
13 which you stated that the reason that you
14 discharged Mr. Greene was because you did not have
15 confidence in his ability to prosecute the case
16 through trial?

17 MS. McRAE: Objection. I don't
18 think she knows what's been filed and what hasn't
19 been filed, and I am not going to let her talk
20 about anything that she may have sent to her
21 lawyers that didn't get filed, unless you've got a
22 file marked where you want her to look at it.

23 MR. DRESCHER: Point well taken, Mr.
24 McRae. Let me change the question slightly.

25 Q. Do you recall executing a declaration

1 under penalty of perjury --

2 MS. McRAE: Objection as to what
3 she's executed. That's attorney-client privilege,
4 if it was never used. I have no idea what
5 declaration you are talking about.

6 MR. DRESCHER: I'll finish the
7 question, and then if you want to continue the
8 objection, that's okay.

9 Q. Do you have a recollection of executing
10 any declarations in the period of July 1991?

11 MS. McRAE: Just yes or no.

12 A. No, not specifically.

13 Q. Do you have a specific recollection of
14 executing a declaration in July of 1991 in which
15 you made the statement that you did not have
16 confidence in Mr. Greene's ability to prosecute the
17 Aznaran case to trial?

18 MS. McRAE: Objection;
19 attorney-client privilege. Instruct you not to
20 answer.

21 Q. Would you please give me your best
22 estimate of how many times you spoke by telephone
23 with Mr. Greene during the first six months of 1991?

24 A. Many times. I have no idea how many.

25 Q. Okay. Can make no estimate?

1 A. No. That's too long ago. A lot of times
2 he talked to Richard, not me.

3 Q. I understand. I'm just asking about
4 you.

5 Do you recall Mr. Greene complaining to
6 you about having a bad back?

7 A. No.

8 Q. Do you ever recall Mr. Greene talking to
9 you about traveling out of town frequently?

10 MS. McRAE: About what?

11 MR. DRESCHER: Traveling out of town
12 frequently.

13 A. No.

14 Q. Do you ever recall having any discussion
15 with Mr. Greene about how busy he was with cases
16 other than yours?

17 A. Yes.

18 Q. Frequent source of conversation between
19 you and Mr. Greene?

20 A. No.

21 Q. Once or twice maybe?

22 A. I don't know.

23 Q. Do you recall whether that was in a
24 period of 1991 from January to June?

25 A. No.

1 Q. Is it your impression that Mr. Greene was
2 difficult to reach during the time he was your
3 counsel of record?

4 A. Sometimes.

5 Q. Do you recall coming to the conclusion
6 that he was slow in returning phone calls during
7 the time he was counsel of record for you?

8 MS. McRAE: Objection;
9 attorney-client -- you're getting into the
10 attorney-client communication, and --

11 MR. DRESCHER: Well, I'm not asking
12 what she talked over with him. I'm asking if she
13 had come to that conclusion herself, not even
14 whether she ever discussed it with Mr. Greene. I
15 want to know if she had reached the conclusion,
16 sometime in the first six months of 1991, whether
17 Mr. Greene was slow in returning her phone calls.

18 MS. McRAE: All lawyers are. You
19 can answer.

20 A. Sometimes; sometimes not. So the
21 answer's, no, I don't think I ever reached a
22 specific conclusion, wow, he takes a long time.

23 Q. Sometimes he did and sometimes he didn't?

24 A. Right.

25 Q. Did Mr. Greene ever tell you that he had

1 checked into a rehabilitation center?

2 A. No.

3 MR. BERRY: Objection; relevancy.

4 Q. Did you ever hear from anyone that Mr.
5 Greene had checked into a rehabilitation center?

6 A. Yes.

7 Q. From who did you hear it?

8 A. Barry Van Sickle.

9 Q. About when did he tell you that?

10 A. I guess in '91 sometime.

11 Q. First six months?

12 A. I don't know. Probably. Possibly.

13 Q. Do you recall what Mr. Van Sickle told
14 you about that supposed event?

15 A. Just that.

16 Q. Just made that observation to you?

17 A. Right.

18 Q. Is that while Mr. Greene was still your
19 counsel of record --

20 A. Yes.

21 Q. -- when Van Sickle told you that?

22 A. Yes.

23 Q. Did Mr. Greene ever bill you for any
24 costs concerning a deposition that he didn't attend?

25 MS. McRAE: Objection;

1 attorney-client privilege.

2 MR. DRESCHER: Are you instructing?

3 MS. McRAE: I'm going to instruct
4 her not to answer.

5 Anytime I object on attorney-client
6 privilege, don't answer it.

7 THE WITNESS: Okay.

8 Q. I'll take it as a given that if Ms.
9 McRae instructs you not to answer, that you will
10 follow her instruction. Is that correct?

11 A. Yes.

12 MR. DRESCHER: Count on it, right?

13 MS. McRAE: Yes.

14 Q. Did you ever tell Barry Van Sickle that
15 Mr. Greene had billed you for anything he hadn't
16 done?

17 MS. McRAE: Did you ever tell Barry
18 Van Sickle --

19 MR. DRESCHER: That Mr. Greene had
20 billed Ms. Aznaran or her husband for any work that
21 he hadn't actually performed.

22 MS. McRAE: I'm going to object to
23 attorney-client privilege there too, unless you
24 want to give a time period. I still think Barry
25 had a continuing duty and a continuing privilege.

1 throughout the course of their knowing each other.

2 MR. DRESCHER: For the sake of
3 precision, I will give a time period. I'm
4 referring to the period between January 1, 1991 and
5 June 4, 1991.

6 MS. McRAE: And I am still going to
7 object that it's attorney-client privilege and
8 instruct her not to answer.

9 Q. You made reference to Mr. Van Sickle
10 telling you about Mr. Greene purportedly checking
11 into a rehabilitation center. Was that a
12 telephonic conversation with Mr. Van Sickle?

13 A. Yes.

14 Q. Did he call you in that -- for that
15 conversation?

16 A. I don't remember.

17 Q. Do you recall about how many times in the
18 first six months -- let's make it a little simpler.
19 Between January 1 and June 4, 1991, approximately
20 how many times did you communicate with Mr. Barry
21 Van Sickle?

22 A. I have no idea.

23 MR. BERRY: Can I have those dates
24 again?

25 MR. DRESCHER: Sure. January 1,

1 1991 to June 4, 1991.

2 Q. I believe your answer was, you don't
3 know?

4 A. I have no idea.

5 Q. More than once?

6 A. Sure.

7 Q. More than five times?

8 A. Probably.

9 Q. If you could characterize for me, in that
10 time period, about how frequently you had telephone
11 communication with Barry Van Sickle.

12 A. I couldn't.

13 Q. Do you think it was more than 10 times?

14 A. I couldn't say.

15 Q. During that same time period, do you
16 recall ever meeting Barry Van Sickle face-to-face?

17 A. No.

18 Q. Do you have any of those five or so -- I
19 mean, I suspect it was more than five. Do you have
20 any one of those particular telephone conversations
21 in mind?

22 A. No.

23 Q. Do you recall anything during that time
24 period discussed in your conversations with Mr.
25 Van Sickle about Mr. Greene, other than Mr.

1 Van Sickle's assertion that he had checked into a
2 rehab center?

3 A. What's your question?

4 Q. My question is, during that period from
5 January 1, 1991 to June 4, 1991, do you have any
6 recollection of anything else Mr. Van Sickle might
7 have said about Mr. Greene, other than what you've
8 already said about a rehab center?

9 MS. McRAE: Just answer yes or no.

10 MR. BERRY: And I object to any
11 questions about Mr. Greene's alleged checking into
12 a drug rehab center or drug use or anything else
13 involving drugs in the case.

14 MR. DRESCHER: I understand your
15 sensitivity to that issue with respect to this
16 case, Mr. Berry.

17 MR. BERRY: Naughty for any
18 editorial.

19 MR. DRESCHER: Same goes for you,
20 sir.

21 Q. Do you have the question in mind?

22 A. No.

23 MR. DRESCHER: I'd like that one
24 read back, please.

25 (Record read.)

1 A. No, not specifically, no.

2 Q. In the period between January 1, 1991 and
3 June 4, 1991, did you ever talk with Mr.
4 Van Sickle about Mr. Van Sickle coming back as your
5 counsel of record in the Aznaran case? Yes or no.

6 A. I don't know. Possibly.

7 Q. Did you ever have any such discussion
8 with him at all after his disqualification?

9 A. Yes, off and on.

10 Q. Did you ever have any such discussion
11 with -- let me strike that and start over.

12 You were a witness at an earlier action
13 between these plaintiffs and Mr. Yanny, weren't
14 you?

15 A. Yes.

16 Q. And do you recollect that sometime after
17 you testified in that case, that you were informed
18 that judgment had been rendered for Mr. Yanny?

19 A. Yes.

20 Q. Do you recall approximately when you
21 learned of that?

22 A. No.

23 Q. Well, from that point in time, whenever
24 it was, between that point in time and the end of
25 May 1991, do you recollect whether you discussed

1 with Mr. Van Sickle the possibility of him coming
2 back as counsel of record for you in the Aznaran
3 case?

4 A. Yes.

5 Q. That's the period you're talking about,
6 where those kind of discussions were off and on.
7 Is that right?

8 A. I don't know.

9 MS. McRAE: I'm going to let her
10 answer this, but it is not to be construed as a
11 waiver in going into what the communications were.

12 MR. DRESCHER: I understand. Thank
13 you.

14 Q. Do you recall the last time that you
15 spoke with Mr. Van Sickle about the possibility of
16 him coming back into the Aznaran case?

17 A. Last summer, I guess.

18 Q. Was that before -- that was before he
19 communicated a settlement proposal in the Aznaran
20 case to you, wasn't it?

21 A. No.

22 Q. Okay. So it's your recollection that the
23 last time you had a discussion with Mr. Van Sickle
24 about the possibility of him coming back as your
25 counsel in the Aznaran case was after Mr.

1 Van Sickle delivered a settlement proposal to you
2 in June of 1991. Is that right?

3 A. The time I'm thinking about was after
4 that.

5 Q. But you had had discussions with him
6 before that, off and on, right?

7 A. Right.

8 Q. Including before June of 1991?

9 A. Right.

10 Q. You can't quantify how many times you
11 talked that over with him?

12 A. No.

13 Q. Was that something that you wanted?

14 A. I'm sorry?

15 Q. Is that something that you wanted?

16 A. Sometimes.

17 Q. Sometimes not?

18 A. Right.

19 Q. Did you ever ask Mr. Van Sickle to again
20 become your counsel of record at any time after his
21 disqualification in the Aznaran case?

22 A. Sometimes he initiated these
23 conversations about it, and sometimes Richard and I
24 did.

25 Q. But it never came to pass, did it?

1 A. No.

2 MS. McRAE: Well, objection; calls
3 for a legal conclusion. I think at all times he
4 was their lawyer, at least in some capacity.
5 You're talking about the attorney of record --

6 MR. DRESCHER: That's what I'm
7 limiting it to.

8 Q. And you understood that to be the --

9 A. Right.

10 Q. Okay. Now, if we can focus on the period
11 before June, in other words, through May 1991, did
12 you ever have any discussion with Mr. Van Sickle
13 about the possibility of Mr. Yanny representing you
14 and your husband in the Aznaran case?

15 A. I don't recall that.

16 Q. You don't recall --

17 A. You're talking about May of '91?

18 Q. Yes. Before May -- through May of 1991?

19 A. You mean forever?

20 Q. Yes, from the beginning of time till
21 then.

22 MS. McRAE: With Van Sickle?

23 MR. DRESCHER: Yes, with Van Sickle,
24 yes or no, whether she discussed with Van Sickle,
25 anytime before the end of May of 1991, whether Mr.

1 Yanny could enter the Aznaran case as the Aznarans'
2 counsel of record.

3 MS. McRAE: To the extent that there
4 are papers filed in the Aznaran case in regard to
5 the difficulty of getting an attorney and to the
6 extent that these sorts of conversations were
7 ordered by the court, by Judge Cardenas in the
8 first Yanny case, I'm going to allow her to
9 testify, but it's still my position that it's
10 attorney-client privilege, and by no means are we
11 waiving that by going into the conversation
12 specifically.

13 MR. DRESCHER: I just asked, yes or
14 no, whether she'd had, before the end of May 1991,
15 any discussion with Mr. Van Sickle about Mr. Yanny
16 assuming the position of counsel of record for you
17 in the Aznaran case?

18 A. When we didn't have an attorney before,
19 yes.

20 Q. The earlier time period? After Barry's
21 disqualification?

22 A. Right.

23 Q. That's the only time you ever recall
24 talking to Mr. Van Sickle about Mr. Yanny coming in
25 on your behalf?

1 A. That's all I recall right now.

2 Q. Did you have any discussions, yes or no,
3 with Mr. Van Sickle about Mr. Yanny becoming your
4 counsel of record in the Aznaran case after May 31,
5 1991?

6 A. I think so, yeah.

7 Q. Do you recall on how many occasions?

8 A. No. Once, twice maybe.

9 Q. Do you recall when that was?

10 A. In the summer of '91.

11 Q. Can you be any more specific?

12 A. No.

13 Q. Was it before or after you entered the
14 case in pro per in June of 1991?

15 A. Probably after.

16 Q. Do you have any recollection of
17 discussing with Mr. Van Sickle the possibility of
18 Mr. Yanny coming in as counsel of record for you in
19 the period between Memorial Day and the time that
20 you actually substituted yourself in pro per?

21 A. No, I don't recall that.

22 Q. Do you have any recollection of
23 discussing with Mr. Yanny, in the time period
24 between the time you learned about the judgment in
25 the first Yanny case and the end of May 1991, about

1 Mr. Van Sickle coming back on board as your counsel
2 of record in the Aznaran case?

3 A. What?

4 Q. Good point. I'm going to be asking the
5 question of whether you had any communication with
6 Mr. Yanny about the subject of Mr. Van Sickle again
7 becoming your counsel of record in the Aznaran
8 case. I'm focusing, in that question, on the
9 period between the time you learned of the judgment
10 Yanny 1 and the end of May 1991.

11 A. It's possible. I don't recall anything
12 specific.

13 Q. Do you recall ever having had such a
14 discussion with Mr. Yanny?

15 A. It's very possible. I don't recall a
16 specific discussion.

17 Q. So as you sit here, you don't have a
18 particular recollection of that topic being
19 discussed between you and Mr. Yanny?

20 A. No.

21 Q. Did you, at any time after the judgment
22 in the -- well, let me strike that, because I have
23 a feeling it was going to be a silly question, but
24 I'll try it anyway.

25 You did, in fact, at some point in 1991

1 have a discussion with Mr. Yanny about Mr. Yanny
2 becoming your counsel of record in 1991?

3 A. Yes.

4 Q. Do you recall whether there was more than
5 one such discussion?

6 A. Probably.

7 Q. Do you recall when the first of any such
8 discussions took place?

9 A. No.

10 Q. Do you have any approximation of when
11 that was?

12 A. Last summer.

13 Q. Was it before or after Mr. Van Sickle
14 communicated any settlement proposal to you for the
15 Aznaran case?

16 A. After.

17 Q. About how long after?

18 A. I don't know.

19 Q. Day or two?

20 A. I don't know when. I didn't have an
21 attorney. It was long enough for that to happen.

22 Q. So you were already without an attorney
23 at the time that you first talked to Mr. Yanny
24 about him representing you?

25 A. Yes.

1 Q. You were in pro per?

2 A. Yes.

3 Q. So it was sometime after the date you
4 entered pro per and the time Mr. Yanny entered on
5 your behalf as counsel of record that you had the
6 first such discussion with him?

7 A. I believe, yes.

8 Q. Do you recall about how many times you
9 did discuss it with him in that period?

10 A. No.

11 Q. Do you know how long a period that was?

12 A. No.

13 Q. Did you ever see a copy of an order from
14 Judge Ideman approving the substitution of you in
15 pro per for Mr. Greene?

16 A. I believe so.

17 Q. Do you recollect when you saw it?

18 A. Last summer.

19 Q. About how long before Mr. Yanny entered
20 an appearance on your behalf in the Aznaran case
21 case did you see such an order?

22 A. I don't know.

23 Q. Two weeks?

24 A. I have no idea.

25 Q. Nothing to base a guess on?

1 A. It was last summer.

2 Q. That's all you can remember?

3 A. Yeah.

4 Q. All right. Let's focus on -- you have
5 in mind Mr. Van Sickle did communicate a settlement
6 proposal to you in early June 1991, don't you?

7 A. Right.

8 Q. He did so?

9 A. Right.

10 Q. By phone?

11 A. Yes.

12 Q. Was your sister, Karen, on the phone,
13 with you?

14 A. Well, I wasn't on the phone. Richard
15 was.

16 Q. Richard was. So it was your recollection
17 that the actual settlement proposal was conveyed by
18 Mr. Van Sickle to your husband?

19 A. The first conversation.

20 Q. Okay. How many conversations were there?

21 A. I don't know. Several.

22 Q. Were you involved in more than one?

23 A. Maybe.

24 Q. That's with Mr. Van Sickle?

25 A. Right.

1 Q. At least one?

2 A. At least one.

3 Q. Was Ms. McRae on the phone with you on
4 that one with Mr. Van Sickle that you referred to?

5 A. No.

6 Q. Did you have any telephonic discussion
7 with Mr. Van Sickle about a settlement proposal
8 made by the defendants in the Aznaran case in which
9 Ms. McRae was also physically on the phone?

10 MS. McRAE: Now, what was that,
11 again?

12 MR. DRESCHER: Let me try it again.
13 I see what you're saying.

14 Q. Do you recollect ever having a telephone
15 conversation with Barry Van Sickle in the summer of
16 '91 in which the subject of a settlement proposal
17 by the defendants in your case was discussed, in
18 which Ms. McRae was also on the phone?

19 A. No.

20 Q. Do you know whether your husband ever had
21 such a telephone conversation with Mr. Van Sickle,
22 with Ms. McRae on the phone?

23 A. I think so.

24 Q. Okay. Do you know how many times?

25 A. No.

1 Q. Did you ever ask your sister to represent
2 you in the Aznaran case?

3 A. Did I ever ask her to?

4 Q. Yes.

5 A. Ever?

6 Q. Ever.

7 A. Sure.

8 Q. Did you ever ask her to become your
9 counsel of record in that case?

10 A. Yeah.

11 Q. How many occasions?

12 A. Numerous.

13 Q. Well, was the most recent -- when was the
14 most recent?

15 A. I don't know. A few months ago, maybe.

16 Q. I'm sorry?

17 A. A few months ago, maybe.

18 Q. A few months ago.

19 Did you have any conversations with Ms.
20 McRae about becoming your counsel of record in the
21 Aznaran case prior to June of 1991?

22 A. Ever prior to June?

23 Q. Yes.

24 A. Yeah.

25 Q. Anytime in the first six months of 1991?

1 A. Possibly.

2 Q. First five months?

3 A. I don't know.

4 Q. Do you recall having a conversation with
5 your sister, Karen, in which you asked her to
6 represent you in the Aznaran case in the period
7 between January 1, 1991 and June 4, 1991?

8 A. I don't recall.

9 Q. Pretty good chance?

10 A. Maybe. I don't know.

11 Q. You asked her a number of times?

12 A. Right.

13 Q. And she has not become counsel of record,
14 has she?

15 A. No.

16 Q. Do you recall asking your sister to
17 become your counsel of record in the Aznaran case
18 at any time during the period in which she was
19 was pregnant?

20 A. I don't know. I mean, it's possible. I
21 don't have specific time I remember.

22 Q. Ms. McRae gave birth sometime in early
23 1991; is that right?

24 A. No.

25 Q. That's not correct?

1 MS. McRAE: July.

2 A. No.

3 Q. Did Ms. McRae give birth to a child, boy
4 or girl, I don't know, but to a child after June of
5 1991?

6 MS. McRAE: I object to this being
7 irrelevant and immaterial. Keep my personal life
8 out of it. You guys make me nervous enough anyway,
9 without getting into my personal life.

10 MR. DRESCHER: Let me explain it to
11 you. I happen to agree with you that -- I don't
12 really care. I'm trying to fix a point in time for
13 Ms. Aznaran to spur her recollection.

14 I recollect taking your deposition in
15 1990, and I believe you were pregnant. That's the
16 reason that I asked that. I don't even know if,
17 when or to what you might have given birth. I
18 assume that you did, and I congratulate you.

19 Q. But I'm trying to figure out whether Ms.
20 McRae gave birth to a child before or after June 1
21 of 1991 in an effort to try to narrow down these
22 dates. That's all I'm asking about. You don't
23 have to give me any more detail as to whether Ms.
24 McRae gave birth before or after June of 1991.

25 A. Before.

1 Q. Do you recall having any conversation
2 with Ms. McRae about her representing you as
3 counsel of record in the Aznaran case after she
4 gave birth and before Mr. Van Sickle transmitted
5 the settlement proposal?

6 A. Don't know. It's possible.

7 Q. Not certain?

8 A. No.

9 Q. At any time before May 31, 1991, did you
10 ever have any communication with C. Tony Wright
11 about him representing you as counsel of record in
12 the Aznaran case?

13 A. When?

14 Q. Anytime before May 31, 1991.

15 A. Yes.

16 Q. On more than one occasion?

17 A. Maybe.

18 Q. Would that occasion have been in the
19 period between January 1, 1991 and the end of May
20 1991?

21 A. I don't think so.

22 Q. You think it was before that?

23 A. Probably.

24 Q. Mr. Wright and Ms. McRae were partners at
25 that time?

1 A. Yes.

2 Q. Are they still?

3 A. No.

4 Q. Do you recall approximately when that
5 partnership ended? Again, the same purpose, to try
6 to fix the date.

7 A. Late last year.

8 Q. Late 1990?

9 A. Late 1991.

10 Q. Excuse me, 1991. I've always been
11 accused of living in the past.

12 Okay. Is it your recollection that at
13 the time that you discussed with Mr. Wright the
14 possibility of him representing you as counsel of
15 record in the Aznaran case, that he and Ms. McRae
16 were still partners?

17 A. Right.

18 Q. Good enough. And you don't have any
19 recollection of having discussed the possibility of
20 him representing you in the Aznaran case since
21 their partnership dissolved?

22 A. I didn't.

23 Q. Do you know whether your husband did?

24 A. I'm certain he wouldn't have.

25 Q. Do you know whether Ms. McRae did?

1 A. I have no idea.

2 Q. During the time in which you were -- had
3 discussion with either Mr. Wright or Ms. McRae
4 about coming in as your counsel of record, did
5 those discussions include any suggestions as to who
6 might be local counsel for them?

7 MS. McRAE: As to --

8 MR. DRESCHER: Who might be local
9 counsel for you or Mr. Wright, should you become
10 counsel of record in Los Angeles.

11 A. Well, sometimes, yeah. A couple of
12 times we thought about Ford would be. Seems like
13 it was Ford that we talked about.

14 Q. Anybody else?

15 A. No.

16 Q. Did you ever talk about Toby Plevin in
17 that regard?

18 A. I don't recall talking about Toby in that
19 regard. It's possible, but I don't remember.

20 Q. As you sit here, you just don't recall?

21 A. Huh-uh (negative).

22 Q. That's a no?

23 A. I don't recall.

24 Q. Thank you.

25 At any time prior to -- excuse me. At

1 any time up to and including May 31, 1991, did you
2 ever have any discussion with Ms. Plevin about her
3 becoming your counsel of record in the Aznaran
4 case?

5 A. I'm sure when I didn't have an attorney,
6 she was -- went to one of her partners about it.

7 Q. Well, that's back after Barry was
8 disqualified?

9 A. Right.

10 Q. All right. At any time after that did
11 you have any discussion with Ms. Plevin becoming
12 your counsel of record?

13 A. Prior to when?

14 Q. Prior to -- I'm sorry. Let me rephrase
15 it altogether.

16 You recall having a conversation with Ms.
17 Plevin about being your counsel of record in the
18 period immediately following Van Sickle's
19 disqualification? Is that right?

20 A. When I was pro per.

21 Q. But after Barry was disqualified?

22 A. Right.

23 Q. Not the period in which you were pro per
24 last summer?

25 A. I had discussions with her then, too.

1 Q. That's what I'm trying to get.

2 A. But that's after May of 1991.

3 Q. It certainly is, and I'll get to that in
4 a second. But the only time that you recall, prior
5 to May 31, 1991, having such a discussion with her
6 was after Mr. Van Sickle had been disqualified?

7 A. Right. But it seems like it may be once
8 or twice during those years that she may have --
9 you know, a passing comment, I would be glad to
10 work on it, whatever, kind of deal.

11 Q. Originated by her, in other words?

12 A. Right.

13 Q. I see. Okay. I'm sorry.

14 A. But it was never something that really
15 got into a big discussion about it. It was more of
16 a passing comment.

17 Q. And that would be in the period between
18 the time that Barry was disqualified and this past
19 summer?

20 A. No.

21 Q. When would it be?

22 A. Well, I told you we had a serious
23 discussion about it after Barry was disqualified,
24 and she went to her partner that she had at the
25 time.

1 Q. That was Mr. Sayre. Does that ring a
2 bell?

3 A. Maybe. Anyway, it didn't happen, and
4 then after that there were these passing comments
5 off and on.

6 Q. Did you approach her in the summer of
7 1991 to become counsel of record?

8 A. Either myself or Richard. Probably both
9 of us.

10 Q. Do you recall on how many occasions?

11 A. Maybe several phone calls.

12 Q. That was before the settlement offer was
13 conveyed, wasn't it?

14 A. No.

15 Q. That was only after?

16 A. Right.

17 Q. In that period between the time that you
18 substituted yourself in pro per and the time Mr.
19 Yanny entered the case as your counsel of record;
20 is that right?

21 A. Yes.

22 Q. That you had more than one conversation
23 with Toby Plevin about representing you?

24 A. Right.

25 Q. She declined?

1 A. More or less.

2 Q. Well, she never became your counsel of
3 record?

4 A. Right.

5 Q. Did you ask her to become your counsel of
6 record?

7 A. Yes.

8 Q. Did she comply?

9 A. It didn't happen that way. If you want
10 me to go into how it happened, I don't know if I
11 should.

12 Q. Sure. Go ahead.

13 MS. McRAE: No.

14 MR. DRESCHER: Let me ask the
15 question, and then you can object.

16 Q. Yes, please, go into how it happened.

17 MS. McRAE: I object that it's
18 attorney-client privilege, and instruct her not to
19 answer.

20 Q. Okay. Now, I'd like you to focus on the
21 time period between the time that Mr. Van Sickle
22 communicated that settlement offer in early June
23 and the time in which Mr. Yanny entered the Aznaran
24 case as your counsel of record. Do you have that
25 time frame in mind?

/

1 A. Uh-huh (affirmative).

2 Q. That's a yes?

3 A. Yes.

4 Q. During that time period, did you have any
5 discussions with Ms. McRae about becoming your
6 counsel of record in the Aznaran case?

7 A. Yes.

8 Q. With Mr. Wright?

9 A. I don't recall any with him.

10 Q. With Mr. Van Sickle?

11 A. Yes.

12 Q. With Mr. Yanny?

13 A. Yes.

14 Q. With Ms. Plevin?

15 A. Yes.

16 Q. With Mr. Elstead?

17 A. Is this prior to Yanny getting in?

18 Q. Same time period, between the time that
19 Van Sickle communicated the settlement proposal and
20 the time Yanny entered the case as counsel of
21 record.

22 A. I didn't talk to John Elstead then.

23 Q. Did you talk to any other attorneys,
24 other than Ms. McRae, Mr. Van Sickle and Mr. Yanny
25 and Ms. Plevin, during that time about representing

1 you as counsel of record in the Aznaran case?

2 A. I don't remember any.

3 Q. Do you know if your husband talked to any
4 other lawyer turning that time period --

5 A. I don't know for sure.

6 Q. -- about becoming the counsel of record
7 for you in the Aznaran case?

8 A. I don't know.

9 Q. During that same time period, Mr.
10 Van Sickle communicated the settlement proposal and
11 the time Mr. Yanny made his appearance as the
12 counsel of record in Aznaran, did you have any
13 discussions with any nonlawyer about finding new
14 counsel for you in the Aznaran case?

15 MS. McRAE: About any nonlawyer
16 doing what?

17 MR. DRESCHER: No. Discussion with
18 any nonlawyer during that time period about perhaps
19 finding representation for you and your husband in
20 the Aznaran case?

21 A. I think I talked to Margaret Singer.

22 Q. Anyone else? Any other layperson in the
23 sense of nonlawyer? Again, that same time frame.

24 A. I don't recall anyone else. May have
25 been, but I just don't recall it now.

1 Q. Did Dr. Singer make any recommendations
2 about lawyers?

3 A. Eventually she recommended John Elstead,
4 but I don't believe she did on the first call. She
5 had to see what she could find.

6 Q. How many calls with Dr. Singer did you
7 have on that subject?

8 A. Two.

9 Q. And the second one, to your knowledge,
10 was after Mr. Yanny had entered an appearance as
11 your counsel of record?

12 A. Right.

13 Q. And the first was before that time?

14 A. Yes.

15 Q. Do you recall whether Dr. Singer
16 mentioned Mr. Elstead's name in the first or second
17 of those conversations?

18 A. Second.

19 Q. Did you initiate that phone call to her
20 or did she call you?

21 A. I called her.

22 Q. About how long did you talk on that
23 occasion?

24 A. Don't know. Not long. Five minutes.

25 Q. Okay. Will you please recount for me

1 what you said to her and what she said to you in
2 this conversation?

3 A. I told her that I needed a lawyer, and
4 she told me that she would see if she could find
5 one.

6 Q. That was the second of the calls or the
7 first?

8 A. First.

9 Q. Anything else that you talked to her
10 about your case or about Mr. Greene or about
11 needing a lawyer in that first call?

12 A. I don't think so.

13 Q. She didn't give you any lawyers' names in
14 that first call?

15 A. No.

16 Q. Didn't mention any at all?

17 A. No.

18 Q. In the second call did you call her or
19 did she call you?

20 A. I think I called her.

21 Q. For how long did you speak with Dr.
22 Singer on that occasion?

23 A. Don't know. Short, brief.

24 Q. It was during that call she gave you Mr.
25 Elstead's name?

1 A. Yes.

2 Q. You heard of him before, though, right?

3 A. I don't think so.

4 Q You'd heard of him from Mr. Gutfreund,
5 hadn't you?

6 A. No.

7 Q. You don't have any recollection of Mr.
8 Gutfreund mentioning Mr. Elstead's name at any time
9 to you before your calls to Dr. Singer?

10 A. I don't think so.

11 Q. Did Dr. Singer mention any other lawyers'
12 names in that second telephone call that you had?

13 A. No, I don't believe so.

14 Q. Was Mr. Yanny still your counsel of
15 record at the time that you had the second
16 telephone call with Dr. Singer?

17 A. I think so.

18 Q. Do you recall anything else said by
19 either Dr. Singer or you in your first telephone
20 call with her in that period?

21 A. During which one?

22 Q. The first one.

23 A. No.

24 Q. How about the second?

25 A. No.

1 Q. It wasn't the first time that you had
2 talked to Dr. Singer in that first call, was it?

3 A. In my life?

4 Q. Yes.

5 A. No.

6 Q. How about in the six months preceding
7 that phone call? Had you talked to her before?

8 A. No.

9 Q. You've designated her as an expert
10 witness in the Aznaran case, haven't you?

11 A. I couldn't say.

12 Q. Don't know?

13 A. Don't know.

14 Q. Do you know what a Frye motion is?

15 A. No.

16 Q. Did you ever hear of the term?

17 A. No.

18 Q. Have you ever seen one, to your
19 knowledge?

20 A. Not that I know of.

21 MR. BERRY: Can we expect one of
22 those from Harris?

23 MR. DRESCHER: Pardon?

24 MR. BERRY: Can we expect one of
25 those from Harris?

1 MR. DRESCHER: From Harris?

2 MR. BERRY: "You don't recall Mr.
3 Harris on death row?

4 MR. DRESCHER: That Harris. I
5 thought I had missed something. I would suspect he
6 would be coming up with some, if he hasn't already.
7 When's he set to go?

8 MR. BERRY: Couple of weeks.

9 Q. Okay. I'm still focusing, Ms. Aznaran,
10 on the period between June 5th -- excuse me,
11 between the time Mr. Van Sickle communicated the
12 settlement proposal and the time Mr. Yanny entered
13 his appearance as counsel of record. You indicated
14 that during that period you discussed with Ms.
15 McRae the possibility of her becoming your counsel
16 of record. She did not become so, did she?

17 A. No.

18 Q. Do you recall having more than one
19 discussion with her on that subject during that
20 time period?

21 A. Probably.

22 Q. Did she give any reasons why she did not
23 choose to do so?

24 A. Yes.

25 Q. What was it or they?

1 A. I won't say.

2 MS. McRAE: Objection;
3 attorney-client privilege.

4 Q. During that period you had a discussion
5 or discussions with Mr. Van Sickle about the
6 possibility of him coming into your case as counsel
7 of record, correct?

8 A. Which time period?

9 Q. This same period, between the time he
10 conveyed the settlement proposal and the time Mr.
11 Yanny entered the case as your counsel.

12 A. Yes.

13 Q. More than one occasion?

14 A. Yes.

15 Q. He declined?

16 A. He wanted to wait until Corydon was
17 settled.

18 Q. That's the Corydon case that he
19 was co-counsel with Ms. Plevin on?

20 A. Right.

21 Q. Did he indicate a willingness to become
22 your counsel of record after Corydon had settled?

23 A. Yes.

24 Q. The only reason he advanced, to your
25 knowledge, as to why he'd assume your

1 representation at that point we're discussing was
2 because the Corydon case settlement discussions
3 were ongoing?

4 A. Right.

5 Q. During the period between, again, Mr.
6 Van Sickle's conveyance of the settlement proposal
7 and the time Mr. Yanny entered the Aznaran case as
8 your counsel of record, you did have discussions
9 with Mr. Yanny on that subject, you've already
10 testified. How many occasions?

11 A. I don't understand the question.

12 Q. Sure. In the period between the time
13 that Mr. Van Sickle conveyed the settlement
14 proposal and the time Mr. Yanny made his appearance
15 as your counsel of record in Aznaran, how many
16 discussions did you have with Mr. Yanny on the
17 topic of him becoming your counsel of record?

18 A. Several.

19 Q. Can you quantify in any way?

20 A. No.

21 Q. Were they weekly?

22 A. No.

23 Q. More frequent than that?

24 A. I don't know.

25 Q. Mr. Yanny did agree to become your

1 counsel of record, did he not?

2 A. Yes.

3 Q. Did you suggest it to him or did he
4 suggest it to you?

5 A. I suggested it to him.

6 Q. Did he agree?

7 A. Finally.

8 Q. You had to persuade him?

9 A. Yes.

10 Q. But you did manage to do so?

11 A. Yes.

12 Q. How did you persuade him?

13 A. Well, summary judgment motions were filed
14 on this thing. We didn't have any counsel.

15 Q. And that's what convinced him to go ahead
16 and join the fray?

17 MS. McRAE: I'm going to object to
18 going any further into this as being
19 attorney-client privilege.

20 MR. DRESCHER: And instruct her, I
21 assume?

22 MS. McRAE: And instruct her not to
23 answer.

24 Q. During that same period, between Mr.
25 Van Sickle's conveyance of the settlement proposal

1 and Mr. Yanny's appearance as your counsel of
2 record in Aznaran, you said you had at least one
3 discussion with Ms. Plevin about becoming your
4 counsel of record?

5 A. Yes.

6 Q. Was it more than one?

7 A. I said at least one. It might have been
8 two. I'm not sure.

9 Q. Did you ask Ms. Plevin to become your
10 counsel of record in this case?

11 A. Yes.

12 Q. Did she decline?

13 A. I think we already went through all of
14 this.

15 Q. I think we did too. I just want to make
16 sure I touched that.

17 MS. McRAE: She cannot answer that
18 with a yes or no, and I am going to instruct her
19 not to answer it any other way.

20 MR. DRESCHER: Okay.

21 Q. But she did not ever become your counsel
22 of record in the Aznaran case?

23 A. Correct.

24 Q. Did you talk to any other nonlawyer
25 besides Margaret Singer during that same period

1 about finding a lawyer for you in the Aznaran case?

2 A. I think I already answered that.

3 Q. The answer's no?

4 A. I don't think that's what I said.

5 Q. You think you don't know. Is that right?

6 A. I don't know why we're going over and
7 over these same things. It's getting late.

8 Q. Your recollection is you don't recall
9 whether you did or not. Is that right?

10 A. That's right.

11 Q. In that same period, from the time Mr.
12 Van Sickle conveyed the settlement proposal to when
13 Mr. Yanny had made his appearance as your counsel
14 of record, did you have any conversation or
15 communication with Cynthia Kisser?

16 MS. McRAE: With who?

17 MR. DRESCHER: Cynthia Kisser.

18 A. I don't recall any.

19 Q. During that same time period, did you
20 have any communication with Priscilla Coates?

21 A. No.

22 Q. Do during that same time period did you
23 have any communication with Michael Flynn?

24 A. No.

25 Q. During that same time period did you have

1 any communication with anyone affiliated with the
2 Cult Awareness Network, other than Dr. Singer?

3 A. I don't recall.

4 Q. During the period between the time Mr.
5 Van Sickle conveyed the settlement proposal and the
6 time Mr. Yanny entered his appearance as your
7 counsel of record, did you have any communication
8 with Ford Greene on the subject of him coming back
9 into your case to represent you as counsel of
10 record?

11 A. I don't recall one. It's possible, but
12 I don't recall one.

13 Q. Let's expand on that just a little.
14 Between the time that Mr. Van Sickle conveyed the
15 settlement proposal to you and the time that Judge
16 Ideman ordered Ford Greene back into the case as
17 your counsel of record, did you have any discussion
18 about Ford Greene remaining or becoming your
19 counsel of record?

20 A. With Ford Greene?

21 Q. Yes.

22 A. I don't recall one.

23 (Recess taken.)

24 Q. Ms. Aznaran, anytime prior to June 1991,
25 did you -- it's a yes or no question -- have any

1 discussions with Mr. Greene about replacing him as
2 your counsel of record?

3 MR. BERRY: Prior to when?

4 MR. DRESCHER: Prior to June of
5 1991.

6 MR. BERRY: Prior to June.

7 A. I don't think so.

8 Q. In that same period, prior to June of
9 1991, did you ever have any communication with Mr.
10 Van Sickle about Mr. Greene being replaced as
11 counsel of record? That's a different question
12 than I asked before. Maybe I ought to just -- I'm
13 not asking now specifically whether you had any
14 discussions with Mr. Van Sickle about him becoming
15 your counsel of record prior to June 1991. I'm
16 asking whether you had any discussions or
17 communication with Mr. Van Sickle, prior to June
18 1991, in which you discussed replacing Ford Greene
19 as your counsel of record.

20 A. I'm not sure if we had any about
21 discussing replacing him or Barry joining him. It
22 could have been either way or both.

23 Q. You don't have a specific recollection --

24 A. No.

25 Q. -- in that regard?

1 Do you recall prior to June 1991 having
2 any communication with Mr. Van Sickle about Ford
3 Greene's representation of you? Yes or no.

4 A. Yeah, I believe so.

5 Q. More than one occasion?

6 A. Possibly, yeah.

7 Q. In the course of any of those
8 communications with Mr. Van Sickle, did you tell
9 him that it was your intention to replace Mr.
10 Greene as your counsel of record?

11 MS. McRAE: Object; attorney-client
12 privilege as to the specific conversation.
13 Instruct her not to answer.

14 MR. DRESCHER: Okay. I just want to
15 make sure we got this completely covered, and this
16 one I want to highlight to be a yes-no question.

17 Q. Anytime prior to June 1991 did you talk
18 to Barry Van Sickle about Ford Greene's
19 representation of you in the Aznaran case?

20 A. Yes.

21 Q. On how many occasions?

22 A. I don't know.

23 Q. More than one?

24 A. Maybe.

25 Q. More than five?

1 A. No.

2 Q. In any of those conversations with Mr.
3 Van Sickle, did you ask him to recommend a lawyer
4 to replace Mr. Greene?

5 A. I don't believe so.

6 Q. In any of these conversations with Mr.
7 Van Sickle, did you discuss the possibility of Ms.
8 McRae coming on board as your counsel of record in
9 the Aznaran case?

10 MR. BERRY: That sounds like
11 fishing.

12 MR. DRESCHER: It sounds like
13 nonsense. The question's out there.

14 A. I don't recall that.

15 Q. Okay. During any of those conversations
16 with Mr. Van Sickle, did you discuss with him the
17 possibility of Mr. Yanny becoming your counsel of
18 record in the Aznaran case?

19 A. I think I already testified that I did.

20 Q. Prior to June 1991?

21 A. Yeah. Specifically I believe when we
22 didn't have counsel, we talked about it at length.

23 Q. How about in the first five months of
24 1991? Do you recall discussing with Mr. Van Sickle
25 the possibility of Mr. Yanny replacing Ford Greene

1 as your counsel of record?

2 A. I don't believe so.

3 Q. In the first five months of 1991 do you
4 recall discussing with Mr. Van Sickle the
5 possibility of Ms. McRae representing you?

6 A. I don't believe so.

7 Q. How about as to Mr. Wright?

8 A. No.

9 Q. Ms. Plevin?

10 A. I don't think so.

11 Q. Anyone else?

12 A. I don't believe so.

13 Q. At any time prior to June 1991 did you
14 ever have communication with Ford Greene about
15 replacing him as your counsel of record? Yes or
16 no.

17 A. No.

18 Q. Yes or no, Ms. Aznaran, do you recall
19 what you and Mr. Van Sickle talked about, the
20 substance of what you talked about when you
21 discussed Mr. Yanny replacing Mr. Greene?

22 MR. BERRY: Run that past me again.

23 MR. DRESCHER: Sure. She
24 identified that she does have a recollection at
25 some point prior to 1991, discussing with Mr.

1 Van Sickle the possibility of Mr. Yanny replacing
2 Mr. Greene.

3 MS. McRAE: I don't think she
4 testified to that.

5 MR. DRESCHER: I believe she did.
6 Let me ask it again.

7 MS. McRAE: She said when she didn't
8 have a lawyer, she discussed.

9 MR. DRESCHER: I understand.

10 Q. That's the time period, right? It's when
11 you did not have a lawyer, after Mr. Van Sickle's
12 disqualification, that you had one or more
13 discussions with Mr. Van Sickle about Yanny
14 becoming your counsel of record?

15 A. Right.

16 Q. Yes or no, do you recall the substance
17 of any of those conversations?

18 A. Yes.

19 Q. Okay. Would you please relate to me, as
20 best you can, what that substance is?

21 A. No.

22 MS. McRAE: I'm going to instruct
23 her not to answer based on the attorney-client
24 privilege.

25 Q. To your knowledge, Ms. Aznaran, has there

1 been only one settlement proposal made by the
2 defendants in your case?

3 A. To my knowledge, there has been more than
4 one.

5 Q. Okay. When was the most recent?

6 A. A couple of months ago, a month ago.
7 Recently.

8 Q. Made by the defendants?

9 A. Yeah.

10 Q. Okay. Now, prior to that, do you recall
11 whether there were any settlement proposals made by
12 the defendants in the Aznaran case?

13 A. I don't recall.

14 Q. Do you recall one around June, early June
15 1991?

16 A. Yes.

17 Q. So other than the one more recently and
18 the one in early June 1991, are you aware of any
19 others?

20 A. I don't recall any others.

21 Q. Okay.

22 A. I don't think there's been anything
23 serious.

24 Q. I take it you didn't take either of those
25 settlement proposals as being serious. Is that '

1 right?

2 A. I thought we were talking about prior to
3 this.

4 Q. No. I'm just talking about those two. I
5 wanted to make sure that I understood your last
6 response.

7 MS. McRAE: She said that she --
8 prior to those two, that she doesn't recall any
9 serious offers.

10 MR. DRESCHER: I see.

11 MS. McRAE: You didn't ask her
12 whether she thought those last two were serious.

13 MR. DRESCHER: I see.

14 Q. Is that what the import of your testimony
15 was?

16 A. Right.

17 Q. Did you think either of those two that
18 you identified were serious?

19 A. When Barry called he seemed to think that
20 it was serious.

21 Q. The question was, did you?

22 A. I believed him.

23 Q. That's the one back in early June?

24 A. Right.

25 Q. 1991?

1 A. I believe so.

2 Q. Now, when Mr. Van Sickle communicated
3 that settlement proposal back in early June 1991,
4 did I understand you to say that there was actually
5 a sequence of phone calls concerning that
6 settlement proposal that took place?

7 A. I didn't say anything about a sequence.

8 Q. Was there more than one phone call in
9 which you participated in which that settlement
10 proposal was discussed?

11 A. I believe there were.

12 Q. How many do you believe there were?

13 A. In which I participated?

14 Q. That's right.

15 A. Two or three, maybe.

16 Q. Are you aware -- or have you been
17 informed, I should say, have you been informed of
18 other telephone calls concerning that early June
19 1991 settlement proposal involving Mr. Van Sickle
20 in which you were not a party?

21 A. Yes.

22 Q. How many such calls are you aware?

23 A. I don't know. I know of one, maybe more.

24 Q. Now, the one of which you know to which
25 you were not a party, was that between Mr. Van

1 Sickle and your husband?

2 A. I believe so.

3 Q. Are you aware of more than one telephone
4 conversation on the subject of that settlement
5 proposal between your husband and Mr. Van Sickle?

6 A. Seems like there were, but I don't know
7 for sure.

8 Q. So that just from what you just told me,
9 it's your recollection that there were anywhere
10 from three to a half dozen calls, somewhere in that
11 range, concerning that settlement proposal back in
12 early June of last year?

13 A. I don't know. I don't recall
14 specifically.

15 Q. Whatever your numbers came to, according
16 to your testimony, they come to?

17 A. Right.

18 Q. Now, in the two or three phone calls on
19 that subject to which you were party, do you recall
20 whether Mr. Van Sickle was on the phone on each
21 such occasion?

22 A. Yes.

23 Q. And in any of those phone calls you had
24 at that time with Mr. Van Sickle, was any other
25 person on the line, to your knowledge?

1 A. No, not those phone calls.

2 Q. So those phone calls were exclusively
3 between you and Mr. Van Sickle?

4 A. I believe so.

5 Q. And concerning the telephone call of
6 which you said you were aware between Mr.
7 Van Sickle and your husband, was there anyone else
8 on the phone with them, to your knowledge or
9 information?

10 A. I don't know. I couldn't say.

11 Q. These telephone calls about that
12 settlement proposal took place, what, in the period
13 of a couple of days of each other?

14 A. Seems like more time than that had
15 elapsed.

16 Q. By how long?

17 A. I don't know. A day, several days, I
18 don't know.

19 Q. Several days. Less than a week?

20 A. Don't know. Probably more.

21 Q. And you have no recollection of any
22 telephone call in that period on the subject of the
23 settlement in which the participants were you, Mr.
24 Van Sickle and Ms. McRae?

25 A. No.

1 Q. No recollection at all?

2 A. No.

3 Q. During that period of time, however long
4 it was, was a settlement figure relayed to you?

5 A. Yes.

6 Q. By whom?

7 A. Once by Richard, which he got from Barry,
8 I understand, and then from Barry.

9 Q. The same number both times?

10 A. I don't remember.

11 Q. Do you remember the number?

12 A. No.

13 Q. It's your recollection that you heard
14 first from Richard or first from Barry?

15 A. Richard was the first to speak to Barry,
16 and then he told me after the phone call.

17 Q. All right. So the first you learned of
18 the settlement proposal was from your husband?

19 A. Correct.

20 Q. Who learned it from Barry?

21 A. That's my understanding.

22 Q. So is it your understanding that the
23 first phone call conveying such a settlement
24 proposal was made by Mr. Van Sickle to your
25 husband?

1 A. I believe so.

2 Q. Okay. Then your husband told you?

3 A. Correct.

4 Q. Now, of those phone calls that you have
5 some recollection of, what was the next in order of
6 time?

7 A. I don't know how to tell you what the
8 next one was. What are you asking?

9 Q. Well, I'm asking you -- well, let's take
10 it more step by step. Barry called your husband
11 and conveyed the settlement proposal, correct?

12 A. That's my understanding.

13 Q. Then your husband conveyed the terms of
14 the proposal to you?

15 A. Right.

16 Q. And what was your reaction?

17 A. Mild interest, I guess, you know.

18 Q. And you don't recollect what the number
19 was?

20 A. No.

21 Q. Do you recollect whether you thought the
22 number was sufficient for the purposes of settling
23 the case?

24 A. I did not.

25 Q. You had that realization right away when

1 any counterproposal to the defendants in the
2 Aznaran case at that time?

3 MS. McRAE: Objection;
4 attorney-client privilege. And if you want to ask
5 it, did she convey a counterclaim, you can ask
6 that.

7 MR. DRESCHER: Okay. I'll do that.

8 Q. Did you convey any counterproposal to Mr.
9 Van Sickle --

10 MS. McRAE: Well, to defendants.

11 MR. DRESCHER: Well, that wasn't the
12 question.

13 MS. McRAE: Well, then I object,
14 because it's attorney-client privilege.

15 MR. DRESCHER: Let me finish the
16 question, then, and I will ask them both, just to
17 alert you to it.

18 Q. Did you authorize Mr. Van Sickle to
19 convey any counterproposal to the defendants?

20 MS. McRAE: Objection;
21 attorney-client privilege. Instruct her not to
22 answer.

23 Q. Did you authorize the conveyance of any
24 kind of proposal to the defendants?

25 MS. McRAE: That's the same

1 question.

2 MR. DRESCHER: No. I left
3 Van Sickle out.

4 MS. McRAE: Did you authorize any --

5 MR. DRESCHER: Excuse me.

6 Q. Did you make any kind of proposal to the
7 defendants?

8 A. Yes.

9 Q. To whom did you make such a proposal?

10 A. Van Sickle.

11 Q. And when was that?

12 A. Last summer.

13 Q. That's the best you can do on time?

14 A. Well, it would have been in the early
15 part when I was talking to Barry.

16 Q. Within a couple of days of Mr. Van Sickle
17 conveying the offer to you?

18 A. No. Probably -- I don't know. Sometime
19 within a few weeks around that time period this
20 went on. I don't know exactly how long.

21 Q. Do you know what Mr. Van Sickle did, if
22 anything, with that counterproposal?

23 A. No.

24 Q. Did you ever hear back from him about it?

25 A. Probably.

1 Q. Okay. Do you know, from Mr. Van Sickle
2 or otherwise, to whom Mr. Van Sickle communicated
3 that proposal?

4 A. Yes.

5 Q. To whom?

6 A. According to him, to you and Quinn.

7 Q. Okay. Did he tell you when he did so?

8 A. Probably.

9 Q. Do you recall?

10 A. No.

11 Q. Did he share with you the reaction of the
12 defendants?

13 MS. McRAE: Now, I'm going to object
14 as to specifically getting into what the
15 communication was.

16 MR. DRESCHER: That's fine. I'm
17 just asking yes or no.

18 A. Probably.

19 Q. Do you have any specific recollection of
20 it?

21 A. No.

22 Q. Do you recall in June of 1991 asking Ford
23 Greene to sign a substitution of attorney form
24 substituting him out of the case and you into it
25 pro per?

1 A. No.

2 Q. Do you recall -- do you know whether your
3 husband made such a request of him?

4 A. I don't know.

5 Q. Did Mr. Greene just do that on his own?

6 A. I couldn't say.

7 Q. Do you know whether Mr. Greene ever
8 executed such a document?

9 A. Don't know.

10 Q. Do you know whether you ever executed a
11 document that substituted Mr. Greene out of the
12 Aznaran case and you in his place in pro per?

13 A. I believe so.

14 Q. How did that document come to be?

15 A. I don't know.

16 Q. You don't know where that document came
17 from?

18 A. I don't remember. I'm sure I did at the
19 time.

20 Q. You don't recall asking Mr. Greene not to
21 be your lawyer in that case anymore?

22 A. No, I don't recall.

23 Q. Any discussions with him in the period of
24 June 1991 about him ceasing to be your counsel of
25 record?

1 A. No, I don't think so.

2 Q. Did you fire him?

3 A. Do you mean personally?

4 Q. Yes.

5 A. No.

6 Q. Did your husband?

7 A. Well, this is a little complicated, the
8 way you're asking it.

9 Q. Why don't you tell me what happened that
10 led to Mr. Greene --

11 A. I don't think I should.

12 Q. Let me finish the question before you
13 object.

14 Would you please tell me the
15 circumstances that led to you substituting yourself
16 in pro per in place of Mr. Greene in the Aznaran
17 case in June of 1991?

18 MS. McRAE: I object in that it
19 calls for communications that are privileged, and I
20 have no idea what she's going to say in a
21 narrative, and therefore, have to object to your
22 entire question. And I instruct her not to
23 answer unless --

24 (Witness and counsel confer.)

25 THE WITNESS: Ever and ever and

1 your husband told you the number?

2 A. Well, I didn't have to break out the
3 adding machine.

4 Q. You concluded quickly that that number
5 wasn't enough, didn't you?

6 A. Yes.

7 Q. Like right away, right?

8 A. Right. But Barry had told Richard that
9 he thought he could get a proper figure, and
10 Richard relayed that to me, and that's why I was
11 interested.

12 Q. I see. Did Richard tell you that Barry
13 had said it was a one time only offer?

14 A. I don't remember those words.

15 Q. Do you remember whether your husband said
16 Barry said it was a take it or leave it offer?

17 A. I don't remember.

18 Q. Do you recall whether Richard told you
19 that Barry had conveyed any indication that that
20 was a firm offer and that negotiations weren't
21 going to be embarked upon?

22 A. I don't remember that.

23 Q. Is it your understanding that your
24 husband felt any differently about that number when
25 Barry told him your reaction?

1 A. I don't understand that question.

2 Q. Did your husband agree with you that that
3 really wasn't much to think about with that
4 particular number?

5 A. I didn't say that there wasn't that much
6 to think about.

7 Q. You immediately concluded it wasn't
8 enough. You did say that?

9 A. Yes.

10 Q. Was it your impression that your husband
11 had reached the same conclusion at that time?

12 A. Correct.

13 Q. Was it your impression that Barry had
14 reached the same conclusion concerning that number?

15 A. Correct.

16 Q. Did you then discuss that number or that
17 settlement proposal with anyone?

18 A. No.

19 Q. Did you discuss it with your husband?

20 A. You mean in my whole life ever?

21 Q. No, no, no. I'm talking about
22 immediately after learning the number, did you have
23 discussion about it with your husband?

24 A. No.

25 Q. You both had the same mind on it, right?

1 A. Right.

2 Q. Did you, at any time point during the
3 next week or so, discuss that number with your
4 sister, Karen?

5 A. I don't recall.

6 Q. Do you know whether Rick had any
7 discussion with Karen about that number?

8 A. I don't remember.

9 Q. Do you remember on what day Mr.
10 Van Sickle telephoned your husband with that
11 number?

12 A. No.

13 Q. Do you recall the day of the week?

14 A. No.

15 Q. Time of day?

16 A. Daylight.

17 Q. It was daylight hours.

18 You were here in Dallas, correct?

19 A. No.

20 Q. Where were you?

21 A. Cozumel.

22 Q. I'm sorry?

23 A. Cozumel.

24 Q. Cozumel. You were in Mexico. Staying in
25 a hotel?

1 A. Right.

2 Q. Which one?

3 A. Don't remember the name of it.

4 Q. Ms. McRae wasn't with you, was she?

5 A. No.

6 Q. Mr. Greene wasn't with you, was he?

7 A. No.

8 Q. Mr. Yanny wasn't with you, was he?

9 A. No.

10 Q. Just with you and your husband?

11 A. There were many other people, but no
12 lawyers.

13 Q. It was vacation after all, right?

14 A. Right.

15 Q. I try to avoid lawyers when I'm on a
16 holiday too.

17 How long had you been in Cozumel at the
18 time that you got the call?

19 A. I don't recall.

20 Q. More than a week?

21 A. No. The whole trip was a week.

22 Q. Do you recall what day of the week you
23 left for Cozumel?

24 A. No.

25 Q. Do you recall what day of the week you'

1 came home from Cozumel?

2 A. No.

3 Q. It was a seven-day trip?

4 A. Seven or eight.

5 Q. Do you have any recollection of how long
6 you had been at Cozumel when you received -- when
7 Rick received the call from Barry?

8 A. No.

9 Q. How did Barry know you were in Cozumel?

10 A. I don't know. I assume he got it from
11 someone, but I'd have to guess.

12 Q. You hadn't told him before you went that
13 you were going to be there?

14 A. No.

15 Q. Had you told Mr. Yanny that you were
16 going to be in Cozumel before you left?

17 A. No.

18 Q. Had you told Ms. McRae?

19 A. Yes.

20 Q. Do you know whether Mr. Van Sickle found
21 out from Ms. McRae that you and your husband were
22 in Cozumel?

23 A. I assume that he did, but I never asked.

24 Q. Now, at some point did you instruct or
25 your husband instruct Mr. Van Sickle to reject that

1 settlement figure?

2 A. I don't think I should answer that.

3 MS. McRAE: Well, without it being
4 construed -- why don't you ask it the other way,
5 did she accept it.

6 MR. DRESCHER: All right.

7 Q. To your knowledge, did you or your
8 husband accept that settlement proposal?

9 A. No.

10 Q. And did you or your husband, to your
11 knowledge, convey such a nonacceptance to Mr. Van
12 Sickle?

13 A. Yes.

14 Q. Where were you when you conveyed to him
15 that nonacceptance?

16 A. Well, one time I was in Dallas. I don't
17 know what Richard did in Mexico.

18 Q. Okay. So Richard may or may not have
19 conveyed his --

20 A. I don't know exactly what he said. I was
21 not in the room.

22 Q. I understand. It is your understanding,
23 though, that Richard did convey at some point to
24 Mr. Van Sickle that the number was not acceptable,
25 correct?

1 A. I would assume so.

2 Q. Okay. But you don't know for sure. I
3 should ask him?

4 A. You should ask him.

5 Q. I'll ask him.

6 You are aware, though, that your husband
7 called Mr. Van Sickle from Cozumel. Is that right?

8 A. I never said that.

9 Q. I thought you did. Did your husband
10 call Mr. Van Sickle from Cozumel?

11 A. No.

12 Q. At any time?

13 A. Not that I know of.

14 Q. Did you?

15 A. No.

16 Q. Did your -- your seven or eight-day
17 holiday included the Memorial Day weekend, did it?

18 A. Don't know.

19 Q. Don't have any recollection?

20 A. No.

21 Q. Who was your travel agent?

22 A. Don't have one.

23 Q. Made the arrangements yourself?

24 A. Yes.

25 Q. And you don't recollect whether -- well,

1 I'll tell you, my calendar says that May 31, 1991
2 was Friday. You don't have any recollection
3 whether you included that long weekend in your
4 Mexican holiday?

5 A. I don't know for sure.

6 Q. Do you think you maybe did?

7 A. I don't know. I mean, I could have left
8 on Sunday, I could have left on Monday, I could
9 have left on Friday. I don't really know.

10 Q. Do you have some sort of record which you
11 could check to see the days you were actually in
12 Mexico?

13 A. No.

14 Q. Not that you're aware?

15 A. Not that I'm aware of.

16 Q. You made the arrangements yourself, not
17 your husband?

18 A. I don't remember if he did or I did.

19 Q. Either you or him, though?

20 A. Right.

21 Q. I see. Do you remember how many weekends
22 you were in Mexico that time?

23 A. No.

24 Q. All right. So Mr. Van Sickle called and
25 spoke to your husband while you were in Mexico.

1 You and your husband spoke between you-all briefly,
2 and I believe you said your husband may have called
3 Mr. Van Sickle while you were still in Mexico,
4 you're not sure, correct?

5 A. I did not say that.

6 Q. Do you know whether your husband --

7 THE WITNESS: He's trying to make me
8 say that. I didn't say that.

9 Q. Did your husband call Mr. Van Sickle
10 while you were still in Mexico?

11 A. N-O, no, no, no, no.

12 Q. Thank you. Did your husband call Mr.
13 Van Sickle on that subject after your return to
14 Dallas?

15 A. I don't know.

16 Q. Did you?

17 A. Maybe.

18 Q. Do you have any guess on how long it was
19 between the time you first heard the settlement
20 proposal and when you called Mr. Van Sickle?

21 MS. McRAE: Objection; she
22 has testified time and time again that she did not
23 call from Mexico and does not know if she called
24 thereafter.

25 Q. Okay. Do you recall any more

1 conversation -- telephone calls from Mr. Van Sickle
2 on the subject of the settlement proposal after the
3 first one in Mexico?

4 A. Yes.

5 Q. In Mexico?

6 A. No.

7 Q. In Dallas?

8 A. Right.

9 Q. And did he speak with you at that time?

10 A. The one that I recall, he did.

11 Q. What did he say during that call?

12 A. I'm not going to tell you.

13 MS. McRAE: Objection;

14 attorney-client privilege. Instruct her not to
15 answer.

16 Q. Just to finish that loop, what did you
17 say to him during that call?

18 MS. McRAE: Objection;

19 attorney-client privilege. Instruct her not to
20 answer.

21 MR. DRESCHER: Is this one of the
22 subject areas in which you'd be willing to reach a
23 limited stipulation?

24 MS. McRAE: On what she -- the exact
25 conversations were during these settlement

1 negotiations?

2 MR. DRESCHER: Yes.

3 MS. McRAE: Let me talk to her a
4 minute.

5 (Off the record.)

6 MS. McRAE: There's no agreements
7 on waiving any attorney-client privilege at this
8 time.

9 MR. DRESCHER: Okay.

10 Q. You already told me at some point in time
11 either you or your husband conveyed your
12 nonacceptance of that settlement proposal to Mr.
13 Van Sickle, and I now have it straight that it was
14 from Dallas that you did so, correct?

15 A. Are we talking about me or my husband?

16 Q. You.

17 A. Correct.

18 Q. Your husband?

19 A. I don't know. I told you I don't know
20 what he said in Mexico. I wasn't there.

21 Q. But it was only the one call in Mexico?

22 A. As far as I know.

23 Q. Thank you.

24 You don't have any recollection of that
25 number?

1 A. No.

2 Q. Does \$250,000 ring a bell?

3 A. No.

4 Q. Did you personally discuss that
5 settlement proposal with Ms. McRae at any time?

6 A. Probably.

7 Q. Not sure when?

8 A. No. Not sure that I did.

9 Q. Okay. How about, did you ever discuss
10 that settlement with Mr. Yanny, you personally?

11 A. No, I don't believe so. I don't think I
12 did.

13 Q. Did you ever discuss that settlement
14 proposal with Mr. Greene?

15 A. I don't think so.

16 Q. Did you ever discuss that settlement
17 proposal with anyone else? I'm excluding your
18 husband. Anyone else?

19 A. I don't think so.

20 Q. So to the best of your recollection, your
21 discussions of that particular settlement proposal
22 were limited to Mr. Van Sickle, Ms. McRae and your
23 husband?

24 A. I'm not so sure about Karen, one way or
25 the other, but the other two, yes.

1 Q. Okay. Did your husband ever tell you
2 whether he had discussed that settlement proposal
3 with Ms. McRae?

4 A. I don't remember him saying anything like
5 that.

6 Q. Do you recall whether your husband said
7 he had discussed the settlement proposal with Mr.
8 Yanny?

9 A. I don't remember him saying that.

10 Q. Do you recall whether your husband told
11 you he discussed the settlement proposal with Mr.
12 Greene?

13 A. I don't think he did.

14 Q. And you don't recall him telling you that
15 he did?

16 A. No.

17 Q. Did your husband ever tell you that he
18 had discussed the proposal with anyone else?

19 A. I don't believe so.

20 Q. Did Mr. Van Sickle ever convey any terms
21 or conditions riding with that settlement proposal
22 to either you or your husband?

23 A. I don't recall.

24 Q. Let's exclude your husband in this for a
25 second. Did you authorize Mr. Van Sickle to convey

1 ever.

2 MS. McRAE: Okay.

3 MR. DRESCHER: No change, right?

4 MS. McRAE: No change.

5 MR. DRESCHER: Okay.

6 MR. DRESCHER: I'd like to mark as
7 Exhibit 1 to this deposition a document -- a copy
8 of a document denominated substitution of attorney,
9 and it bears a filed stamp July 1, 1991, from the
10 Clerk of the United States District Court for the
11 Central District of California in the case styled
12 Aznaran, et al, versus the Church of Scientology of
13 California, et al.

14 (Exhibit No. 1 marked.)

15 Q. Okay. Ms. Aznaran, if you'd take
16 a moment and look over the document that's been
17 marked as Exhibit 1. Have you seen it before, or a
18 copy of it?

19 A. Well, that's my signature on it.

20 Q. Do you recognize your signature? Do you
21 see next to your signature, it's dated 6-11-91? Is
22 that what it says?

23 A. That's correct.

24 Q. Do you have a recollection of signing
25 this document on or about the 11th of June, 1991?

1 A. Not specifically, no.

2 Q. Do you have a recollection of signing
3 this document at any time?

4 A. I'm sure I did. That's my signature.

5 Q. Do you recollect where you were when you
6 signed this document?

7 A. No.

8 Q. Were you in the United States?

9 A. Yes.

10 Q. So you weren't in Mexico?

11 A. No.

12 Q. Do you have any reason to doubt that the
13 date that's indicated, 6-11-91, is the date in
14 which you signed it?

15 A. No.

16 Q. It's your handwriting, the 6-11-91, isn't
17 it?

18 A. Looks like it.

19 Q. Do you recognize Mr. Greene's rather
20 distinctive signature there below yours?

21 A. Uh-huh (affirmative).

22 Q. That looks to be his signature to you?

23 A. Yes.

24 Q. Do you see the date next to his name?

25 A. Yes.

1 Q. 6-7-91. Did you fill that in or did
2 someone else?

3 A. It's not my handwriting.

4 Q. Okay. This document came to you in the
5 U.S. Mail; is that right?

6 A. I couldn't say.

7 Q. Do you recall receiving a copy of this
8 document from Ford Greene with his signature on it,
9 but not yours?

10 A. I would assume that's where this came
11 from, because this date's first.

12 Q. But you don't have a present
13 recollection?

14 A. No.

15 Q. Well, you didn't send this document to
16 Mr. Greene to get his signature, did you?

17 A. I don't believe so.

18 Q. Did you tell anybody to just make up one
19 of these documents and send it to Mr. Greene?

20 A. Maybe. I don't recall.

21 Q. Okay. Now, when Ford Greene signed this
22 document on or about June 7, 1991, did he do so at
23 your request?

24 A. Mine and Richard's, I'm sure, yeah.

25 Q. Are you the one who communicated that

1 request to Mr. Greene, or was it your husband?

2 A. It wasn't me.

3 Q. Did your husband ever tell you that he
4 had communicated such a request to Mr. Greene?

5 A. Not that I recall.

6 Q. Were you aware this document was coming
7 your way at the time you received it?

8 A. I don't recall.

9 Q. Was it a surprise for you to get it?

10 A. I don't recall. I don't think so. I
11 mean, I knew that Scientology had said if we'd fire
12 Ford, they'd settle, so I assumed that all of this
13 was things I expected to be happening.

14 Q. How did you know that Scientology had
15 said that?

16 A. Barry told me.

17 Q. When did Barry tell you?

18 A. Don't know.

19 Q. Was it within a couple of days of this,
20 or what?

21 A. Probably.

22 Q. Okay. And where were you when Barry told
23 you that?

24 A. Well, the first time was in Mexico, when
25 my husband relayed it to me.

1 MS. McRAE: I'm going to object, and
2 I will let her go ahead and finish answering, but
3 you're going into attorney-client privilege. I
4 don't mind her answering those questions, but it is
5 not to be construed as a general waiver, if you'll
6 agree to that.

7 MR. DRESCHER: I'll agree to that.

8 Q. So it was your husband who told you that
9 Scientology had said that they'd settle if you'd
10 get rid of Ford Greene?

11 A. That's when it was first relayed to me, I
12 believe I said.

13 Q. It was first relayed to you by your
14 husband in Mexico?

15 A. Yes.

16 Q. After his first call from Barry
17 Van Sickle?

18 A. Right.

19 Q. And your husband told you that Barry
20 Van Sickle had told him that?

21 A. Right.

22 Q. Did you ever have a conversation with
23 Barry Van Sickle after that in which he repeated
24 that statement?

25 A. Yes.

1 MS. McRAE: I've got the same --
2 I've got the same objection, but I'm going to let
3 her answer -- and to all of this line of
4 questioning as to any substantive conversations.

5 MR. DRESCHER: All right.

6 MS. McRAE: If you'll agree that
7 that doesn't constitute a general waiver.

8 MR. DRESCHER: I'll agree that that
9 doesn't constitute a general waiver.

10 Q. Let me ask you this, when your husband
11 first related to you that Van Sickle had said such
12 condition was imposed on settlement negotiations
13 and -- what did you say?

14 A. I said if Barry was representing us, it
15 would probably be all right.

16 Q. And what was it your husband said to you
17 after that phone call with Van Sickle in Mexico in
18 which he told you that that was the condition Barry
19 had said had been imposed? What were Rick's words?

20 A. I don't remember his words.

21 Q. That was the substance that he conveyed
22 to you?

23 A. Right.

24 Q. What did Rick say to you after you said
25 to him that, if Barry would become our counsel,

1 that was okay?

2 A. I believe he agreed.

3 Q. Did you ask Barry to become your counsel
4 at that point?

5 A. My understanding was that that had
6 already been worked out between Richard and Barry.

7 Q. So in the telephone call in which
8 Van Sickle conveyed the settlement proposal, it's
9 your understanding he and Rick had already worked
10 that out, that Barry would be your counsel of
11 record?

12 A. For the purposes of settlement, yeah.

13 Q. Did you call Ford Greene from Mexico?

14 A. No.

15 Q. Did Rick?

16 A. No, not that I know of.

17 Q. Did you call Ford Greene from -- after
18 your return to Dallas?

19 A. I don't believe so.

20 Q. Did your husband call Ford Greene on your
21 return from Dallas?

22 A. I don't know.

23 Q. Did you ever have a communication with
24 Ford Greene in June of 1991 in which you personally
25 asked him to step down as your counsel of record?

1 MS. McRAE: The answer is yes or
2 no.

3 A. I don't believe so.

4 Q. I didn't hear you.

5 A. I don't believe so.

6 Q. Okay.

7 A. I don't remember one.

8 Q. To your knowledge, did your husband ever
9 have such a phone call with Mr. Greene?

10 A. I have no idea.

11 Q. To your knowledge, did Van Sickle ever
12 have such a phone call with Mr. Greene?

13 A. I don't know.

14 Q. Was the document signed by Ford
15 Greene, Exhibit 1, waiting for you when you got
16 back from Mexico?

17 A. I don't recall.

18 Q. Do you recall whether you're the one who
19 opened the envelope that this came in?

20 A. No, I don't.

21 Q. Do you recall whether it was faxed to
22 you?

23 A. May have been.

24 Q. Do you recall whether it was Federal
25 Expressed or otherwise overnight couriered to you?

1 A. I don't know.

2 Q. Do you have any records that you could
3 check to find out?

4 A. No.

5 Q. Had you conveyed a counterproposal to
6 Barry Van Sickle before you signed this document,
7 Exhibit 1?

8 A. I believe my husband did.

9 Q. And you believe he did so by telephone?

10 A. Right.

11 Q. From Dallas?

12 A. From Mexico.

13 Q. Okay. How many phone calls total do you
14 believe your husband made or had with Mr.
15 Van Sickle while he was in Mexico?

16 A. One.

17 Q. So in the initial phone call?

18 A. Right.

19 Q. Did your husband discuss the matter of
20 the settlement proposal with you while Mr.
21 Van Sickle was still on the phone?

22 A. I don't think so.

23 Q. So it's your recollection that your
24 husband conveyed the counter proposal to Mr.
25 Van Sickle before he discussed the matter with you.

1 Is that right?

2 A. I believe so, yeah.

3 Q. And what was -- what were the terms of
4 the counterproposal made by your husband to Mr.
5 Van Sickle.

6 MS. McRAE: I'm going to object to
7 it as to attorney-client privilege. I really don't
8 know what the answer is. You can ask her if one
9 was conveyed to the defendants.

10 MR. DRESCHER: Well --

11 THE WITNESS: He already asked that
12 and I answered.

13 MR. DRESCHER: I asked that and she
14 said no. She didn't answer it. She said it was
15 conveyed to Van Sickle.

16 MS. McRAE: It was through the
17 lawyer, apparently.

18 Q. That's all you know about how it was
19 conveyed, correct?

20 A. Right.

21 Q. You have no idea when or if Van Sickle
22 conveyed it to the defendants?

23 A. He said he did.

24 Q. He said he did. When did he say that?

25 A. Don't know the date.

1 Q. But neither you or your husband heard
2 back from Van Sickle until you returned to Dallas,
3 right?

4 A. No, I didn't.

5 Q. You're not sure about Richard?

6 A. I don't think so.

7 Q. You don't think he heard back from Barry
8 while you were in Mexico?

9 A. I don't think so.

10 Q. You left Mexico the same day you got the
11 phone call, didn't you?

12 A. No.

13 Q. You're certain of that?

14 A. Yeah.

15 Q. Okay. Did you leave Mexico the day after
16 you got the phone call from Van Sickle?

17 A. Don't know.

18 Q. You have no idea?

19 A. No idea.

20 Q. But you're certain it wasn't the day of?

21 A. Right.

22 Q. Could have been the next day?

23 A. Possible.

24 Q. Could have been after that?

25 A. Possible.

1 Q. What airline did you fly?

2 A. I don't recall.

3 Q. Did you fly?

4 A. Yes.

5 Q. Don't remember the hotel?

6 A. No.

7 Q. It was a hotel?

8 A. Right.

9 MR. BERRY: Objection; asked and
10 answered.

11 Q. Did you rent a car while you were in
12 Mexico?

13 A. No.

14 Q. Did you call Ford Greene while you were
15 in Mexico, you personally?

16 A. No.

17 Q. To your knowledge, did your husband?

18 A. Not that I know of.

19 Q. Did Van Sickle tell you that he had
20 called Ford Greene while you were in Mexico?

21 A. Not that I recall.

22 Q. Did Rick ever tell you that Barry had
23 told Rick that Barry called Ford Greene while you
24 were in Mexico?

25 A. I don't recall.

1 MR. DRESCHER: Okay. I'd like to
2 have marked as Exhibit 2 a document denominated a
3 declaration of Vicki J. Aznaran in what we call the
4 Aznaran case. We'll verify this with the -- with
5 the witness, but it shows an execution date of July
6 1, 1991.

7 I'd like it marked as Exhibit 2, please.
8 (Exhibit No. 2 marked.)

9 MS. McRAE: Was this filed in the
10 Aznaran case?

11 MR. DRESCHER: I can represent that
12 it was served upon us as part of a series of
13 motions. It was part of a series of motions.

14 THE WITNESS: By who?

15 MR. DRESCHER: By Mr. Yanny. And
16 was part of a set of exhibits that Mr. Parker, Mr.
17 Yanny's lawyer, used in the Van Sickle declaration
18 in this case. That's why it doesn't bear its own
19 filed stamp. It was part of exhibits to a motion
20 -- part of a set of exhibits to a motion.

21 Q. If I could ask you to take a look at
22 what's numbered page 12, starts at page 10. Does
23 that look like your signature to you?

24 A. Yeah.

25 Q. Okay. Did you write in the word 1st in

1 front of day in the preceding line?

2 A. Looks like it, yeah.

3 Q. Do you recollect sign the declaration in
4 on or about the 1st of July, 1991?

5 A. Speaks for itself.

6 Q. Okay. Did you execute a declaration on
7 or around the 1st of July 1991?

8 A. Are you asking if I remember
9 specifically?

10 Q. Yes.

11 A. No.

12 Q. Let me ask you to look, then, at that
13 declaration, the three-page declaration marked as
14 Exhibit 2, and see if you recognize it.

15 A. Okay.

16 Q. Do you recollect signing such a
17 declaration last summer?

18 A. Yes.

19 Q. You did so at Mr. Yanny's request?

20 A. Probably.

21 Q. He prepared it for you?

22 A. I don't remember.

23 Q. You don't remember preparing it yourself?

24 A. No.

25 Q. Do you remember anyone else preparing it

1 for you?

2 A. Well, somebody in his office could have.
3 I don't remember being told that he did it.

4 Q. But it came from Mr. Yanny's office, did
5 it?

6 A. I believe it probably did.

7 Q. And have you now read it as we sit here?

8 A. Right.

9 Q. Is everything there true and correct, to
10 the best of your knowledge?

11 A. As far as I know.

12 Q. Let me ask you this, then. It says
13 within the last two weeks -- paragraph 3 I'm
14 reading from. Within the last two weeks I have had
15 a series of conversations with Barry Van Sickle
16 concerning one John J. Quinn who is an attorney for
17 defendant Scientology. Do you see where it says
18 that in paragraph 3?

19 A. That's correct, uh-huh (affirmative).

20 Q. Is that a yes?

21 A. Yes.

22 Q. Okay. Now, paragraph 4, it says,
23 Van Sickle called me and initially indicated that
24 Scientology, through Mr. Quinn, wanted to settle,
25 or at least enter into negotiations to resolve the

1 above-entitled action against Scientology. It's
2 actually called, first, your husband, right?

3 A. Well, we didn't -- obviously didn't line
4 out every phone call and who it went to.

5 Q. I see, but the first call was to your
6 husband?

7 A. Yes, the first call was to my husband. I
8 can't specify about his phone calls.

9 Q. Of course not. But you can testify about
10 the first call you had with Mr. Van Sickle on that
11 subject, can't you?

12 A. Maybe.

13 Q. When was that?

14 A. I don't know.

15 Q. It was after you got back from Dallas,
16 right?

17 A. You mean from Mexico?

18 Q. I mean from Mexico to Dallas.

19 A. Right.

20 Q. But it was in the time frame that you've
21 indicated?

22 A. I don't know. I guess. I mean, I don't
23 recall, as I sit here now.

24 Q. But when you signed this, you were
25 confident of the time frame, right?

1 A Right.

2 Q. Okay. If you look at paragraph 5, it
3 says that, Mr. Van Sickle indicated that Quinn
4 stated the only requirement for settlement talks
5 was that they did not want to negotiate or deal
6 with my then attorney, Ford Greene. That's what it
7 says, right?

8 A. Right.

9 Q. When did Barry tell you that?

10 A. My husband told me that first.

11 Q. Did Barry ever tell you that directly?

12 A. Yes.

13 Q. When was that?

14 A. In Dallas.

15 Q. After you got back from Cozumel?

16 A. Right.

17 Q. And then you say in paragraph 6 that,
18 Mr. Van Sickle indicated that he would negotiate --
19 that Quinn had stated that he would negotiate with
20 Barry if he was in a position to a settlement for
21 the Aznarans. Do you recall Barry telling you
22 that?

23 A. Yes.

24 Q. That same phone call that you had with
25 Barry after you returned to Dallas?

1 A. Probably.

2 Q. Do you see paragraph 8, that subsequent
3 to your conversation with Mr. Van Sickle, Mr.
4 Greene was released from his present duty to
5 represent me, and I authorized Mr. Van Sickle to
6 negotiate for me with Scientology? That's correct?

7 A. Right.

8 Q. After you got back from Dallas, to Dallas
9 from Mexico, right?

10 A. Right.

11 Q. And that's after your first telephone
12 conversation with Van Sickle, right?

13 A. Well, you've got to understand that my
14 husband authorized him to earlier.

15 Q. I understand. This is with respect to
16 you.

17 A. On behalf of me.

18 Q. I can talk to your husband about his own
19 identical declaration later on.

20 A. Okay.

21 Q. But I'm asking your about yours right
22 now.

23 MS. McRAE: I think she's saying
24 it's a general statement, being hers and Richard's.

25 Q. Well, let's look at paragraph 8. It

1 says, subsequent to my conversation with Mr.
2 Van Sickle, Mr. Greene was released from his
3 present duty to represent me, and I authorized Mr.
4 Van Sickle to negotiate for me with Scientology.
5 That's not true?

6 MS. McRAE: I think that she's
7 already testified that she was obviously authorized
8 to negotiate through his conversation with Richard.

9 MR. DRESCHER: Yes, I got that loud
10 and clear, but and --

11 A. Then subsequently I authorized him.

12 Q. So it was after Richard had already
13 authorized him to, is that right, that you
14 authorized Barry Van Sickle to do --

15 A. That's right.

16 Q. Good. In paragraph 9 where you say that,
17 I am informed that Mr. Van Sickle delivered my
18 request for further negotiations with Mr. Quinn,
19 who were you informed about?

20 A. Barry.

21 Q. That was in a later conversation with
22 Barry, later in time than the one in which you
23 authorized him to negotiate with --

24 A. I would assume so.

25 Q. You don't know as you sit here?

1 A. No.

2 Q. Okay. Barry did tell you that at some
3 point, though, didn't he, that he delivered your
4 request for further negotiations to Mr. Quinn?

5 A. I believe I already testified to that.

6 Q. All right.

7 A. Yes.

8 Q. Paragraph 11 says that, within days of my
9 release of Mr. Greene as counsel and Scientology's
10 withdrawn offer, the Scientology defendants filed a
11 motion for summary judgment, scheduled to come on
12 for hearing in this court on July 22, 1991. That's
13 correct, isn't it?

14 A. I don't know.

15 Q. You don't know as you sit here today?

16 A. No.

17 Q. You thought it was correct at the time
18 you signed this, though, didn't you?

19 A. Obviously.

20 Q. Or you wouldn't have signed it, would
21 you?

22 A. Right.

23 Q. So that's the sequence of events, as you
24 recollected them, back on the 1st of July, 1991,
25 isn't it?

1 A. Probably so.

2 Q. Wasn't it, then, when you signed it under
3 oath, that it was?

4 A. Wasn't what what?

5 Q. Was the correct sequence of events as you
6 laid them out in --

7 A. I don't understand the question.

8 MR. BERRY: Objection; counsel is
9 badgering the witness.

10 MR. DRESCHER: I'm not badgering;
11 I'm cross-examining.

12 THE WITNESS: He's trying.

13 Q. So let me ask you this --

14 MS. McRAE: She's already testified
15 this was her best recollection, and that's the way
16 she recalled it at the time she signed it, signed
17 under penalties of perjury. If you're going to
18 get argumentative about it in the way she's
19 testified, then I'm just going to have to --

20 MR. DRESCHER: I'm not getting
21 argumentative. I haven't even raised my voice.

22 MS. McRAE: You don't have to, to be
23 argumentative.

24 Q. Let me ask you this, is the sequence in
25 which you set forth the facts in paragraphs 4

1 through 11 -- excuse me, 3 through 11, 3 through 11
2 of Exhibit 2, the sequence of events that was your
3 best recollection of what happened back when you
4 signed this declaration?

5 MR. BERRY: Objection; asked and
6 answered.

7 MR. DRESCHER: It wasn't answered;
8 it was asked.

9 A. Is this my best recollection?

10 Q. No. Was it at the time you executed this
11 declaration?

12 A. I would assume so, or I wouldn't have
13 signed it.

14 Q. That's okay. Thank you.

15 Then you would agree there are seven days
16 in a week, right?

17 A. Right.

18 MS. McRAE: That's argumentative for
19 sure.

20 MR. DRESCHER: That's correct. I'll
21 withdraw that one.

22 Q. Do you recall submitting a declaration
23 under penalty of perjury?

24 A. I need to go eat.

25 Q. I tell you what. Let me take five more

1 minutes and you are on your way.

2 A. Okay.

3 Q. Do you recall signing -- I said submitted
4 before. Forget that. Do you recall signing any
5 other declarations in July of 1991 in which you
6 discussed your termination of the services of Ford
7 Greene?

8 A. Seems like I signed another one.

9 Q. Okay. Let's mark as Exhibit 3
10 declaration of Vicki J. Aznaran regarding
11 association of John Clifton Elstead as trial
12 counsel.

13 MS. McRAE: Where did you get that?

14 MR. DRESCHER: Same place as the
15 other. It was served upon us in the Aznaran case
16 out of Mr. Greene's office, and it's executed under
17 the penalty of perjury on the 31st day of July on
18 1991, by Ms. Aznaran, and ask that that be marked
19 as Exhibit 3, and ask you to take --

20 A. Five minutes, right?

21 Q. Five minutes. That's all I want to on
22 this one. It's a short one.

23 MR. BERRY: Are we saying five
24 minutes on this exhibit or five minutes to finish
25 the depo?

1 MR. DRESCHER: No. Five minutes on
2 this one, and we'll take a break and come back.

3 MR. BERRY: I had the impression
4 that you were going to be finished.

5 (Exhibit No. 3 marked.)

6 MR. DRESCHER: There's your own copy
7 right there.

8 Q. You can use the original, Ms. Aznaran.

9 A. Okay.

10 Q. Okay. Do you recall executing the
11 declaration of this form on or about the 31st day
12 of July, 1991?

13 A. That's my signature. I don't
14 specifically recall it.

15 Q. Okay. You recall, however, signing some
16 other declaration around that time, didn't you?

17 A. Right.

18 Q. Okay. At the time you signed that
19 declaration, you recall you assumed it was true and
20 correct, didn't you?

21 A. Yes.

22 Q. The statements in here, to the extent
23 they're there, they're true and correct, aren't
24 they?

25 A. As far as I know.

1 Q. As far as you know?

2 A. Right.

3 Q. If you look at paragraph 4, page 2 of
4 that declaration, it says, previously I was
5 sufficiently concerned about Mr. Greene's ability
6 to handle and maintain the trial of my case, that I
7 replaced him with myself in pro per and then
8 substituted in Joseph Yanny. Now that experienced
9 trial counsel has been retained, I do not foresee
10 any further changes in my representation. That's
11 correct, right, when stated?

12 A. Right.

13 Q. And true when stated?

14 A. Right.

15 Q. And the experienced trial counsel
16 referred to in the fourth line of paragraph 4 is
17 Mr. Elstead?

18 A. Right.

19 Q. Didn't make any mention in this about any
20 reason to fire Mr. Greene, other than that that's
21 in paragraph 3, did you?

22 A. Did I make any --

23 MS. McRAE: Objection; the document
24 speaks for itself.

25 Q. Okay. In paragraph 3 it says, I do

1 not seek Mr. Elstead's association for the purposes
2 of delaying the trial date set for October 15,
3 1991. The reason I desire the association is
4 because I believe that Mr. Elstead has the skill,
5 resources, support and ability to properly present
6 my case. Is that the reason that you associated
7 Mr. Elstead in at that time?

8 MS. McRAE: I'm going to object to
9 her elaborating any further on this. It's
10 attorney-client privilege.

11 MR. DRESCHER: I'm not asking her to
12 elaborate on it. I'm just asking -- maybe I'll
13 rephrase the question.

14 Q. Do you see what you said in paragraph 3
15 of that document, Ms. Aznaran?

16 A. Yes.

17 Q. Is that the only reason that you sought
18 Mr. Elstead's association at that time?

19 A. I couldn't answer that without going into
20 privileged information.

21 MS. McRAE: I instruct you not to
22 answer.

23 MR. DRESCHER: On the basis that she
24 stated?

25 MS. McRAE: Yes.

1 Q. Okay. But there is no reference to Mr.
2 Quinn in this declaration, is there?

3 MS. McRAE: Objection --

4 MR. BERRY: The document speaks for
5 itself.

6 MS. McRAE: -- asked and answered.
7 The document speaks for itself. You're taking
8 longer than five minutes.

9 MR. DRESCHER: No, I'm not. I'm
10 only about 4 and 45 seconds, actually.

11 Q. Why not, Ms. Aznaran?

12 MS. McRAE: Objection.

13 A. Why not what?

14 Q. Why not --

15 A. Why not go to lunch?

16 Q. No. Why didn't you make reference to any
17 reason for your displeasure with Mr. Greene and
18 your reasons for firing Mr. Greene, other than that
19 stated in Exhibit 3?

20 MS. McRAE: Objection --

21 MR. BERRY: Objection; asked and
22 answered, assumes facts not in evidence.

23 A. I can't get into that without telling
24 what my attorney advised me to do when I signed it.

25 Q. Who was your attorney who advised you to

1 sign this?

2 MR. BERRY: ^EObjection; the record
3 speaks for itself.

4 MR. DRESCHER: No, it doesn't.

5 Q. Who was your attorney who advised you to
6 sign it?

7 A. Elstead.

8 MR. DRESCHER: Okay. Let's break
9 for lunch.

10 (Noon recess.)

11 MR. DRESCHER: Let's mark as
12 Exhibit 4 a document, a form called substitution of
13 attorney in the Aznaran case, as we've called it,
14 with signatures that purport to be both the
15 witness' and that of Mr. Yanny. Take a moment and
16 mark that.

17 (Exhibit No. 4 marked.)

18 Q. Ms. Aznaran, if you will just take a
19 moment and look over this, it's actually a
20 three-page document, the second of which is service
21 oriented. It's just the first page, is all I'm
22 interested in.

23 (Off the record.)

24 Q. Ms. Aznaran, have you had a chance to
25 look over the first page of Exhibit 4?

1 A. Yes.

2 Q. Okay. Do you recognize it as a document
3 you executed near the end of June 1991?

4 A. Yes.

5 Q. In fact, next to the date June 27, 1991
6 is -- the second time it appears, is that your
7 signature?

8 A. Yes.

9 Q. And, indeed, is that your signature next
10 to that date the first time that it appears?

11 A. I believe so, yes.

12 Q. Do you have a recollection of signing
13 such a substitution of attorney to substitute in
14 Joe Yanny as your lawyer in place of yourself, pro
15 per?

16 A. Yes, sir.

17 Q. Do you recognize Mr. Yanny's rather
18 distinctive scrawl?

19 A. Yes, I recognize his signature.

20 Q. His date is the next date, June 28, 1991?

21 A. Right.

22 Q. Its says 28-6-91. Does that indicate
23 June 28 to you?

24 A. Uh-huh (affirmative). Yes.

25 Q. Thank you.

1 If you look at the first page of Exhibit
2 4, right about the middle, in fact, between the two
3 June 27th dates, it says, I have given proper
4 notice pursuant to Local Rule 2.8 and further
5 consent to the above substitution. Do you know
6 what Local Rule 2.8 is?

7 A. No.

8 Q. Did you know what Local Rule 2.8 was at
9 the time that you signed it?

10 A. I don't know.

11 Q. You don't know whether you knew what it
12 was or not?

13 A. I don't remember it.

14 Q. Mr. Yanny did, in fact, become your
15 counsel of record, did he not, after June 28th,
16 1991 in the Aznaran case?

17 A. After I signed this, right.

18 Q. For the period of at least a few weeks,
19 right?

20 A. Yes.

21 Q. Back to June of 1991, Ms. Aznaran, did
22 you have any idea how many lawyers there were in
23 Los Angeles County?

24 A. Sorry?

25 Q. Back in June of 1991, did you have any'

1 idea of how many lawyers there were in Los Angeles
2 County, California?

3 A. No.

4 MS. McRAE: I'm going to object to
5 you wasting time argumentatively, Bill. That is
6 nothing but pure argumentative and a comment on the
7 record, and you surely can't mean for her to
8 seriously answer that.

9 MR. DRESCHER: Well, I just wondered
10 if she had any idea. She said no.

11 Q. Let me ask you this, between the time
12 that you signed the substitution of attorney for
13 Ford Greene out and yourself in, June 11, 1991, and
14 the time that you signed Exhibit 4, the
15 substitution of Joe Yanny in and you, as pro per,
16 out, in the Aznaran case, did you make any call to
17 the Los Angeles County Bar Association for a lawyer
18 referral?

19 A. I was relying on Barry's word that he
20 would come in and help us.

21 Q. I understand that. I just want to know
22 if you made --

23 A. No, you don't understand, because you
24 keep thinking I should have been calling hundreds
25 of lawyers or something. That's what you're

1 driving at.

2 Q. I only asked if you called the Los
3 Angeles County Bar Association.

4 A. No.

5 Q. Any referral service for lawyers in Los
6 Angeles?

7 A. No. Listen, I'm going to leave if this
8 is all we're going to talk about. This is a joke.
9 I'll just go.

10 MS. McRAE: If you really want to
11 ask serious questions, go ahead, but we're not
12 going to take days and days and days. You've
13 already been extremely abusive --

14 THE WITNESS: Making up, who did
15 call this, did I call this, did I call Santa Claus.
16 I mean, come on.

17 MS. McRAE: Because of you-all's
18 prior abusive behavior, I'm not going to take any
19 of it in this deposition.

20 MR. DRESCHER: I'm real sorry that
21 both of you are offended by it. I've only got to
22 go by what Mr. Berry has put in his amended, answer
23 so any ire on the subject ought to be directed at
24 him for making the assertions in the affirmative
25 defense.

1 THE WITNESS: Let's just go.

2 MR. BERRY: We made no allegations
3 that she should have called every attorney in LA
4 County.

5 MR. DRESCHER: All right.

6 THE WITNESS: This is silly. How
7 many lawyers in LA? Come on.

8 Q. Let me ask you this, then --

9 MS. McRAE: If you're going to
10 do serious discovery, go ahead. If not, then we're
11 going.

12 MR. DRESCHER: I assure you I'm
13 doing serious discovery.

14 THE WITNESS: It's not; it's silly.

15 MS. McRAE: It's not, in my opinion,
16 and I am not going to tolerate you-all taking days
17 and days and days of depositions in every case, and
18 to sit here and waste my time and my client's
19 time on how many lawyers are in LA, we're not going
20 to do it, so you've got one more chance, and then I
21 will walk out.

22 MR. BERRY: I think she's testified
23 that she relied on the representations of
24 Van Sickle, that he would recommend one.

25 MR. DRESCHER: Yes. And I'm about

1 to move on, but I've been listening to this
2 colloquy.

3 Q. You came here by virtue of a subpoena,
4 did you not, Ms. Aznaran?

5 A. Correct.

6 Q. There was a document request attached to
7 that subpoena, was there not?

8 A. Yes.

9 Q. Did you search to see whether you had any
10 documents responsive to that request?

11 A. Yes.

12 Q. Do you have any documents?

13 A. No.

14 Q. Are you producing any documents?

15 A. No.

16 Q. Prior to today's deposition -- and I am
17 excluding Ms. McRae from this question -- did you
18 discuss this deposition with anyone besides Ms.
19 McRae and your husband?

20 A. No.

21 Q. Did you review any documents in
22 preparation for today's deposition?

23 A. No.

24 Q. Had you met Mr. Berry before Ms. McRae
25 introduced him to you here this morning?

1 A. No.

2 Q. Had you ever spoken to him by phone?

3 A. No.

4 Q. Did you ever speak to anyone associated
5 with Mr. Berry's law firm before today?

6 A. No.

7 Q. Did you have occasion to discuss today's
8 deposition with Ms. Plevin before you came here
9 today?

10 A. No.

11 Q. With Mr. Yanny?

12 A. No.

13 Q. Did you ever discuss with Mr. Yanny the
14 possibility of Mr. Elstead representing you in the
15 Aznaran case?

16 MR. BERRY: Object to vague as to
17 the time.

18 MS. McRAE: Already been asked and
19 answered.

20 MR. DRESCHER: I don't believe so,
21 and I object, but I'll frame it up.

22 Q. At any time after June 1st, 1991, did you
23 discuss with Mr. Yanny the possibility of Mr.
24 Elstead coming into this case, the Aznaran case, as
25 your counsel of record?

1 A. Yes.

2 Q. On how many occasions?

3 A. One.

4 Q. When was that, approximately?

5 A. Sometime after Joe was representing us.

6 Q. And before Mr. Elstead did, correct?

7 A. Right.

8 Q. Was that telephonic communication?

9 A. Yes.

10 Q. Who placed the call? Do you recollect?

11 A. No.

12 Q. Was anyone on the phone besides you and
13 Joe, to your knowledge?

14 A. I don't know. Maybe Richard.

15 Q. And was the only subject matter discussed
16 in that call whether Mr. Elstead would become your
17 counsel of record?

18 A. I don't remember.

19 Q. Was that after Mr. Yanny was ordered out
20 by Judge Ideman?

21 A. Before.

22 Q. Did you enter into any fee agreement
23 with Mr. Yanny with respect to the Aznaran case?

24 A. It's privileged.

25 MS. McRAE: I'm going to object; //

1 attorney-client privilege, and instruct her not to
2 answer.

3 MR. DRESCHER: I'm going to ask the
4 next question, and then we'll move on.

5 Q. What are the terms of that agreement?

6 MS. McRAE: Objection;
7 attorney-client privilege. Instruct her not to
8 answer.

9 Q. Has Mr. Yanny received any sort of money
10 or other consideration for the period in which he
11 represented you in the Aznaran case?

12 A. No.

13 Q. Approximately how many times have you
14 been in communication, you personally, been in
15 communication with Mr. Yanny between July 24, 1991
16 and today? I'll give you, July 24 is the date in
17 which Judge Ideman issued the order that Mr. Yanny
18 come out of the Aznaran case and Mr. Greene be
19 substituted back in.

20 A. Four or five, maybe.

21 Q All by telephone?

22 A. Yeah.

23 Q. When was the most recent?

24 A. A month or two ago.

25 Q. Nothing from the last month or two? I'

1 didn't hear you.

2 A. I said a month or two ago.

3 Q. And that was the most recent?

4 A. As far as I remember, yeah.

5 Q. Have you at any time had any
6 communication with Mr. Yanny concerning the
7 scheduling of your depositions in this case, yours
8 and your husband's?

9 MS. McRAE: Objection as to
10 attorney-client privilege --

11 MR. BERRY: Objection.

12 MS. McRAE: -- and any
13 communication, specific communications.

14 MR. DRESCHER: Well I'm just asking
15 whether. I'm not --

16 MR. BERRY: I'd object on that Mr.
17 Yanny was attorney for this client and has a
18 continuing obligation to her as a result thereof.

19 MR. DRESCHER: I understand all
20 that, but my question was whether Ms. Aznaran has
21 had any communication with Mr. Yanny about the
22 scheduling of her deposition in this case.

23 A. I don't recall anything.

24 Q. Do you know whether your husband had any
25 such communication concerning his deposition?

1 A. Not that I know of.

2 Q. Have you sought any legal advice
3 whatsoever from Joe Yanny since he was removed by
4 Judge Ideman from representing you in that case?

5 A. I don't recall any.

6 Q. Since that time has Joe Yanny given you
7 any legal advice whatsoever?

8 A. Not that I know of.

9 MR. DRESCHER: Let me ask you this,
10 Ms. McRae, if I were to attempt to probe the
11 content of the communication on those four or five
12 occasions that the witness has testified that
13 she communicated with Mr. Yanny since July of 1991,
14 am I correct in assuming that you'd assert the
15 attorney-client privilege and instruct her not to
16 answer?

17 MS. McRAE: That's correct.

18 MR. DRESCHER: All right. Then I
19 think we can stipulate that, were I to ask that
20 question to those communications, that would be
21 your objection and instruction?

22 MS. McRAE: That's true.

23 Q. Have you ever met Jerry Armstrong?

24 A. Yes.

25 Q. More than one occasion?

1 A. No.

2 Q. When was the only time that you've ever
3 met him?

4 A. Golly, it's been a long time.

5 Q. Were you both staff members of the church
6 when you met him?

7 A. No.

8 Q. Was it during the Yanny 1 trial?

9 A. I don't know. Maybe.

10 Q. Where were you when you met him?

11 A. At Joe's house.

12 Q. Have you spoken with Mr. Armstrong by
13 telephone on any occasion?

14 A. Yes.

15 Q. Approximately how many times?

16 A. Two or three.

17 Q. Did your telephone calls with Mr.
18 Armstrong precede or follow meeting at Mr. Yanny's
19 house?

20 A. Follow.

21 Q. When was the most recent phone call that
22 you had with Mr. Armstrong?

23 MS. McRAE: I object to this as
24 going into discovery in something else. Maybe I'm
25 missing something.

1 MR. DRESCHER: Yes, I think maybe
2 you are. We've got a two-count complaint here, and
3 one claims a breach of fiduciary duty with respect
4 to Ms. Aznaran and Mr. Aznaran and Yanny's
5 representation of them. And the other concerns Mr.
6 Yanny's breach of fiduciary duty as alleged in the
7 second cause of action concerning the
8 representation of Mr. Armstrong. I just wanted to
9 ask a couple of preliminary questions about any
10 communication within that relevant time frame.

11 MR. BERRY: There's no allegation
12 that -- in the complaint at all about
13 communications between this witness and Jerry
14 Armstrong.

15 MR. DRESCHER: You're absolutely
16 right, but if you will stand by for one minute, I
17 will be able to help you out.

18 Q. Have you talked with Mr. Armstrong within
19 the last year?

20 A. Yes.

21 Q. Are both of your telephone conversations
22 with Mr. Armstrong within the last year?

23 A. Yes.

24 Q. But your meeting with him was not within
25 the last year; is that correct?

1 A. Right.

2 Q. Are you aware that Mr. Yanny hired Mr.
3 Armstrong to be a paralegal to work for Mr. Yanny
4 on your case while Mr. Yanny was your counsel of
5 record?

6 MR. BERRY: Objection; misstates the
7 previous evidence.

8 A. No. I thought Ford had hired him.

9 Q. No one ever told you that Mr. Yanny had
10 hired Armstrong as a paralegal for your case?

11 A. I don't recall that.

12 MR. BERRY: Objection; assumes facts
13 not in evidence.

14 MR. DRESCHER: She said no.

15 Q. Are you aware of whether Mr. Armstrong
16 did any work for Mr. Yanny with respect to your
17 case while Mr. Yanny was your counsel of record?

18 A. I don't know. He might have. I don't
19 know how he went from -- if he went from Yanny to
20 Ford, but at some point he ended up working for
21 Ford on my case, and I don't know exactly if he
22 worked for Yanny some before that or not. I really
23 don't have any information about that.

24 Q. Do you know whether Mr. Armstrong is
25 employed as a paralegal at this moment?

1 A. No, I don't know.

2 Q. Did anyone inform you that Mr. Armstrong
3 was working as a paralegal for Mr. Elstead?

4 A. I don't recall that.

5 MR. BERRY: Objection; assumes facts
6 not in evidence.

7 MR. DRESCHER: I'm just asking her
8 the question.

9 Q. I didn't hear your answer.

10 A. I don't recall anyone telling me that.

11 Q. To your knowledge, is he?

12 A. Not that I know of.

13 Q. Did either of your telephone
14 conversations with Mr. Armstrong occur while he was
15 working as a paralegal for Mr. Greene on your case?

16 A. I'm not sure what this -- when he was and
17 wasn't working as a paralegal.

18 Q. When, to the best of your recollection,
19 was your most recent telephone conversation with
20 Mr. Armstrong?

21 A. A couple, three months ago, maybe.

22 Q. Did you call him or did he call you?

23 A. He called me.

24 Q. Was anyone else on the phone, to your
25 knowledge, besides you and Mr. Armstrong?

1 A. Not that I know of.

2 Q. How long a conversation was it?

3 A. I don't know. I don't remember.

4 Q. Five minutes or less?

5 A. I couldn't say.

6 Q. Was the subject of the Aznaran case
7 raised in that conversation?

8 MR. BERRY: Objection; relevancy to
9 this litigation.

10 MS. McRAE: We're not going to go
11 into discovery --

12 THE WITNESS: Yeah, because this
13 might be privileged, because at different
14 times he's been a paralegal for Ford, and I don't
15 know when he was and wasn't.

16 MS. McRAE: If he's calling in
17 relation to her case, while under the direction of
18 one of her attorneys or had a continuing duty
19 thereunder, then I object as attorney-client
20 privilege, and instruct her not to answer. And I
21 am not going to sit through any discovery on the
22 Aznaran case.

23 MR. DRESCHER: I don't intend to sit
24 here and do any. I have limited enough time.

25 Q. My question was yes or no, was the

1 Aznaran case the subject of that more recent
2 conversation?

3 A. I'm not going to answer it.

4 MR. BERRY: Bill, you should be fair
5 to her and tell her that, as far as we all know,
6 he's still working for Ford Greene as a paralegal.

7 MR. DRESCHER: As far as we all know
8 from testimony he's given, he worked for John
9 Elstead.

10 MR. BERRY: That misstates his
11 testimony.

12 MR. DRESCHER: Not in this case, it
13 doesn't.

14 MR. BERRY: Yes, it does.

15 MR. DRESCHER: I'm telling you right
16 now, he's testified in another case that
17 he's working for Elstead.

18 All I'm asking is yes or no, whether the
19 Aznaran case was the subject of the discussion in
20 the more recent of the conversations that she had
21 with Jerry Armstrong.

22 MS. McRAE: If you know, yes or no.

23 THE WITNESS: I'm not going to tell
24 him.

25 MR. DRESCHER: Are you going to '

1 instruct her?

2 MS. McRAE: No.

3 Q. Are you going to refuse to answer that
4 question?

5 A. Yes. I mean, you want to know the
6 subject of the conversation with a guy that's been
7 a paralegal for my attorney, and I am not going to
8 tell you.

9 Q. I just wanted to know whether --

10 A. You asked what the subject was.

11 Q. No. I asked you whether it was, yes or
12 no. Are you going to refuse to answer?

13 A. Yes.

14 Q. In the earlier of the two telephone
15 conversations that you testified to having with
16 Jerry Armstrong, was the Aznaran case a subject of
17 the conversation?

18 MS. McRAE: Same objection;
19 attorney-client privilege. All of this time, if
20 he's been a paralegal for one of her lawyers, then
21 it's going to be a privileged conversation.

22 MR. DRESCHER: Only if it's about
23 that case, and that's the question.

24 Q. Was it about the Aznaran case?

25 A. What?

1 Q. The earlier of the two telephone
2 conversations that you had with Mr. Armstrong.

3 A. Yes.

4 Q. I'm going to make the record. What did
5 you say to him and what did he say to you?

6 MS. McRAE: Objection;
7 attorney-client privilege. Instruct her not to
8 answer.

9 Q. Have you paid any money to Jerry
10 Armstrong for assisting you in the Aznaran case?

11 A. No.

12 Q. Have you paid Ford Greene any money for
13 Jerry Armstrong's service in that regard?

14 MR. BERRY: Objection; relevancy to
15 this litigation. It has nothing to do with any of
16 the causes of actions.

17 MS. McRAE: Objection.

18 MR. DRESCHER: Graham, before you
19 came aboard there have been several rulings by
20 Judge Ideman about continuing to taint. That's
21 what it goes to.

22 MR. BERRY: But we're talking about
23 Yanny 2, not the Aznaran case.

24 MR. DRESCHER: I am talking about
25 Yanny 2. /

1 MR. BERRY: Judge Ideman hasn't made
2 any rulings regarding the Yanny 2 litigation in the
3 state court case.

4 MR. DRESCHER: That's right, but it
5 is an action that he took that is integrally
6 involved with the question I asked as to this case
7 and Mr. Yanny's breaches.

8 MR. BERRY: The nature.

9 Q. Do you have the question in mind?

10 A. Oh, no.

11 Q. I'm sorry, you don't?

12 A. No.

13 MR. DRESCHER: Might we have that
14 read back.

15 MS. McRAE: If you paid Ford --

16 THE WITNESS: Let her read it back.

17 Q. Well, she's right. I'll rephrase it from
18 the start. Have you ever paid any money to Ford
19 Greene so he could pay Jerry Armstrong for his help
20 in the Aznaran case?

21 MR. BERRY: Same objection.

22 MS. McRAE: Objection as to
23 privilege. Instruct her not to answer.

24 Q. Has Jerry Armstrong ever relayed any
25 communications to you from Joe Yanny?

1 MR. BERRY: It's also objectionable
2 since Yanny was at one time her attorney.

3 MR. DRESCHER: It's a yes-no
4 question. It's a yes-no question. Fact of is not
5 privileged.

6 MS. McRAE: I object as to it being
7 attorney-client privilege. Instruct her not to
8 answer.

9 Q. Are you aware of any literary matters
10 that Mr. Armstrong is working on?

11 A. No.

12 Q. Do you know whether Mr. Armstrong has
13 retained the services of an attorney concerning any
14 literary matters that he may be working on?

15 A. No.

16 Q. Who was John Koresko?

17 A. He's a man that works for Joe Yanny.

18 Q. Do you know in what capacity he works for
19 Mr. Yanny?

20 A. No.

21 Q. Have you ever met him?

22 A. No.

23 Q. Have you ever talked with Mr. Koresko by
24 telephone?

25 A. I don't recall.

1 Q. Have you ever corresponded with Mr.
2 Koresko in writing?

3 A. I don't think so.

4 Q. When's the last time you were in
5 California?

6 MR. BERRY: Objection; relevancy.

7 A. I believe it was during the trial, Joe's
8 trial.

9 Q. Back in 1989?

10 A. Whenever that was.

11 MR. DRESCHER: Was it in '89?

12 MS. McRAE: '90.

13 MR. DRESCHER: Was it '90?

14 Q. Have you ever been to Ford Greene's
15 office?

16 A. Yes.

17 Q. But before Joe's trial; is that correct?

18 A. Yes.

19 Q. You've never been to Ford's office after
20 Joe's trial?

21 A. I don't know. I don't remember exactly
22 when the second time I went was.

23 Q. Okay. Have you been at Ford Greene's
24 office within the last year?

25 MR. BERRY: Asked and answered, /

1 since she hasn't been in California.

2 MR. DRESCHER: She also said she
3 wasn't sure.

4 A. I don't think so.

5 Q. Were you there last summer at all?

6 A. No.

7 MR. BERRY: Since the office is
8 under such heavy surveillance, you'd probably have
9 logs on that.

10 MR. DRESCHER: I'd love to know your
11 basis for that.

12 Q. Let me ask you this, Ms. Aznaran, have
13 you ever been informed that Mr. Koresko was present
14 at Mr. Greene's office after July 24, 1991?

15 A. I don't recall that.

16 Q. Did you ever discuss with anyone the
17 matter of the transfer of the Aznaran case files
18 from Yanny's office to Ford Greene's office?

19 MS. McRAE: Objection,
20 attorney-client privilege. Instruct her not to
21 answer.

22 Q. If you would give me about five minutes,
23 I want to just see what I've covered and not
24 covered, and perhaps we can wrap this up pretty
25 quickly, if I have just a few minutes to go over my

1 notes.

2 THE WITNESS: Okay.

3 MR. DRESCHER: Thanks.

4 (Recess taken.)

5 Q. Ms. Aznaran, you're still employed by
6 Phoenix Investigations; is that right?

7 A. Right.

8 Q. And you also -- you and your husband also
9 have a business called Spy Supply; is that right?

10 A. Right.

11 Q. That's a retail store?

12 A. Right.

13 Q. More than one location?

14 A. Two.

15 Q. Does Phoenix have more than one location?

16 A. No.

17 Q. And I am not asking for any identities or
18 anything. I just want to know, you have employees
19 at Phoenix Investigations, don't you?

20 A. Right.

21 MR. BERRY: Objection; relevancy.

22 MS. McRAE: Really. I mean, sounds
23 like you-all trying to get some discovery for some
24 fair game, or whatever. I realize you-all know a
25 lot already.

1 THE WITNESS: They've got that old
2 stringy-haired PI that they're going to send
3 around.

4 Q. You have employees of Spy Supply, don't
5 you?

6 A. Yes.

7 Q. Do you ever hear your husband bragging
8 about a safe that you have in your home?

9 A. No.

10 MS. McRAE: I object to --

11 MR. DRESCHER: She answered no.

12 THE WITNESS: They want to know
13 about the gold bars.

14 Q. That's my next question. Do you have
15 any gold bars in you possession?

16 A. No. But your PIs sure do think I do.
17 They've been asking all my clients about that.

18 Q. Have they?

19 A. Yes. And my friends and my family.

20 Q. Have they been asking about ivory?

21 A. No. I haven't heard about that yet. I
22 guess that's what they're doing now.

23 Q. Do you have any ivory?

24 A. Yes.

25 Q. You do. Where did you get it?

1 THE WITNESS: They've got that old
2 stringy-haired PI that they're going to send
3 around.

4 Q. You have employees of Spy Supply, don't
5 you?

6 A. Yes.

7 Q. Do you ever hear your husband bragging
8 about a safe that you have in your home?

9 A. No.

10 MS. McRAE: I object to --

11 MR. DRESCHER: She answered no.

12 THE WITNESS: They want to know
13 about the gold bars.

14 Q. That's my next question. Do you have
15 any gold bars in you possession?

16 A. No. But your PIs sure do think I do.
17 They've been asking all my clients about that.

18 Q. Have they?

19 A. Yes. And my friends and my family.

20 Q. Have they been asking about ivory?

21 A. No. I haven't heard about that yet. I
22 guess that's what they're doing now.

23 Q. Do you have any ivory?

24 A. Yes.

25 Q. You do. Where did you get it?

1 A. Bought it.

2 Q. Have you bought it since you left the
3 church?

4 A. Yes.

5 MS. McRAE: I'm going to object to
6 any of this as --

7 MR. BERRY: This has absolutely
8 nothing to do with this litigation?

9 THE WITNESS: It has to do with my
10 case.

11 MR. DRESCHER: State your objection.

12 MS. McRAE: I object to discovery in
13 the Aznaran case not noticed here today, and you're
14 abusing the discovery process once again, and we're
15 not going to answer any more questions that have --
16 that they're nothing to do with the case, that
17 are only for purposes of discovery in Vicki's case.

18 MR. DRESCHER: I didn't have any
19 more questions on it, anyway. That was the end of
20 it. We've already had the stipulations.

21 (End of proceedings.)

22

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1 DECLARATION UNDER PENALTY OF PERJURY

2

3 I hereby declare under penalty of perjury
4 that the foregoing is my deposition under oath; are
5 the questions asked of me and my answers thereto;
6 that I have read same and have made the
7 corrections, additions or deletions to my answers
8 that I deem necessary.

9 In witness thereof, I hereby subscribe my
10 name this ____ day of _____, 1992.

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VICKI AZNARAN

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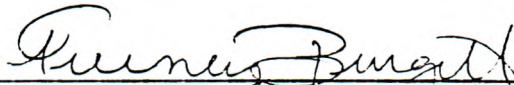
1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3
4 I, Tierney Burgett, Certified Shorthand
5 Reporter, in and for the State of Texas, certify
6 that the foregoing deposition of VICKI AZNARAN
7 was reported stenographically by me at the time and
8 place indicated, said witness having been placed
9 under oath by me, and that the deposition is a
10 true record of the testimony given by the
11 witness.

12 I further certify that I am neither counsel
13 for nor related to any party in this cause and am
14 not financially interested in its outcome.

15 Given under my hand on this the 16th day of
16 April, 1992.

17
18 
19 Tierney Burgett, Certified
20 Shorthand Reporter No. 588
21 in and for the State of Texas
22 Stanley, Harris, Rice &
Associates
3100 McKinnon, Suite 1000
Dallas, Texas 75201
(214) 720-4567

23 My commission expires 12-31-92

24 Original deposition sent to Karen McKrae on
25 4-16-92.

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DEPOSITION CHANGES

2

WITNESS NAME: VICKI AZNARAN

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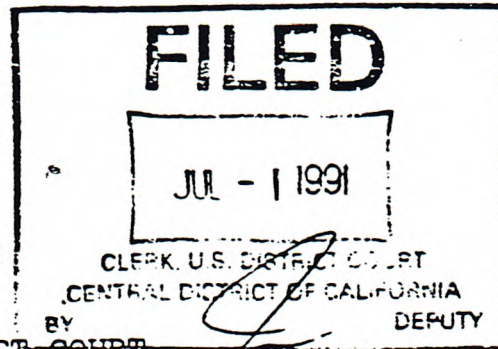
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FORD GREENE
711 Sir Francis Drake Blvd.
San Anselmo, California 94960-1949
Telephone: (415) 258-0360

Attorney for Plaintiffs
VICKI J. AZNARAN and RICHARD N. AZNARAN



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT, STATE OF CALIFORNIA

VICKI J. AZNARAN and RICHARD N.
AZNARAN,

Plaintiffs,

VS.

CHURCH OF SCIENTOLOGY OF
CALIFORNIA, INC.; CHURCH OF
SPIRITUAL TECHNOLOGY, INC.;
SCIENTOLOGY MISSIONS INTERNATIONAL,
INC.; RELIGIOUS TECHNOLOGY CENTER,
INC.; AUTHOR SERVICES, INC.;
CHURCH OF SCIENTOLOGY INTERNATION-
AL, INC.; CHURCH OF SCIENTOLOGY OF
LOS ANGELES, INC.; MISSION OFFICE
WORLDWIDE; AUTHOR FAMILY TRUST;
THE ESTATE OF L. RON HUBBARD;
DAVID MISCAVIGE; and NORMAN
STARKEY

Defendants.

CASE NO. CV88-1786-WDK

SUBSTITUTION OF ATTORNEY

Amended



I, VICKI J. AZNARAN, hereby substitute, in PRO PER, 703
McKinney Avenue, Suite 309, Dallas, Texas 75206, (214) 720-1414,
in place and stead of FORD GREENE, 711^{1/2} Sir Francis Drake ^{Bldg.} ~~Blvd.~~,
San Anselmo, California 94960-1949.

DATED: 6-11-91

Vicki Aznaran
VICKI J. AZNARAN

I hereby consent to the foregoing designation.

DATED: 6/7/91

[Signature]
FORD GREENE

356

L2547/LIT44:357

1 JOSEPH A. YANNY, ESQ. - Bar No. 97979
2 LAW OFFICES OF JOSEPH A. YANNY
3 1925 Century Park East, Suite 1260
4 Los Angeles, California 90067
5 (213) 551-2966

6 Attorneys for Plaintiffs

7 UNITED STATES DISTRICT COURT
8 FOR THE CENTRAL DISTRICT OF CALIFORNIA

9
10 VICKI J. AZNARAN, and) CV 88-1786 JMI (Ex)
11 RICHARD N. AZNARAN,)

12 Plaintiffs,)

13 vs.)

DECLARATION OF
VICKI J. AZNARAN

14 CHURCH OF SCIENTOLOGY OF)
15 CALIFORNIA, ET AL.)

16 Defendants.)

17 AND RELATED COUNTERCLAIMS)
18

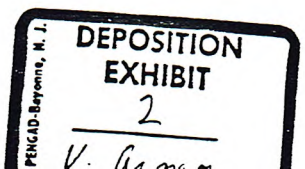
19 I, Vicki J. Aznaran, declare and state:

20 1. I am a Plaintiff in the above-entitled action.

21 2. This declaration is being made in support of
22 Plaintiffs' Ex Parte Application for an Order Continuing the
23 Hearing date on Defendant's Motion for Summary Judgement. The
24 matters stated herein are of my own personal knowledge, and if
25 called, I could testify to them under oath.

26 3. Within the last two weeks, I have had a series of
27 conversations with Barry Van Sickle concerning one John J.
28 Quinn who is an attorney for Defendant Scientology.

//



L2547/LIT44:357

1 4. Mr. Van Sickle called me and initially indicated that
2 Scientology, through Mr. Quinn, wanted to settle, or at least
3 enter into negotiations to resolve the above-entitled action
4 against Scientology.

5 5. Mr. Van Sickle indicated that Quinn stated the only
6 requirement for settlement talks was they did not want to
7 negotiate or deal with the my then-attorney, Ford Greene.

8 6. Mr. Van Sickle indicated that Quinn had stated he
9 would, negotiate with Barry if he was in a position to
10 negotiate a settlement for the Aznarans.

11 7. Mr. Van Sickle had previously been my lawyer in this
12 action.

13 8. Subsequent to my conversation with Mr. Van Sickle,
14 Mr. Greene was released from his present duty to represent me
15 and I authorized Mr. Van Sickle to negotiate for me with
16 Scientology.

17 9. I am informed that Mr. Van Sickle delivered my request
18 for further negotiations to Quinn.

19 10. Mr. Van Sickle indicated that Quinn said Scientology
20 had changed its mind, that they did not care to enter into any
21 negotiations

22 11. Within days of my release of Mr. Greene as counsel,
23 and Scientology's withdrawn offer, the Scientology Defendants
24 filed a Motion for Summary Judgment, scheduled to come on for
25 hearing in this court on July 22, 1991.

26 12. Joseph A. Yanny has agreed to come into the action
27 and to represent me.

28 ///

Executed this 7th day of July, 1991, at Dallas, Texas.

Vicki J. Azharian
Vicki J. Azharian

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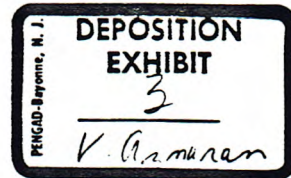
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Attorney for Plaintiffs
VICKI J. AZNARAN and
RICHARD N. AZNARAN



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VICKI J. AZNARAN and RICHARD N.
AZNARAN,

Plaintiffs,

vs.

CHURCH OF SCIENTOLOGY OF
CALIFORNIA, et al.,

Defendants.

No. CV-88-1786-JMI (Ex)

DECLARATION OF VICKI J.
AZNARAN REGARDING
ASSOCIATION OF JOHN
CLIFTON ELSTEAD AS
TRIAL COUNSEL

AND RELATED COUNTER CLAIM

VICKI J. AZNARAN declares;

1. I am one of the plaintiffs in the above-captioned case.

2. It is my desire that John Clifton Elstead be associated as
trial counsel on my behalf in this case.

3. I do not seek Mr. Elstead's association for the purpose of
delaying the trial date set for October 15, 1991. The reason I desire
the association is because I believe that Mr. Elstead has the skill,
resources, support and ability to properly present my case.

///

4. Previously, I was sufficiently concerned about Mr. Greene's ability to handle and maintain the trial of my case that I replaced him with myself, in pro per, and then substituted in Joseph Yanny. Now, that experienced trial counsel has been retained, I do not foresee any further changes in my representation.

5. I am in agreement with my husband and co-plaintiff, Richard N. Aznaran, Mr. Elstead and Mr. Greene that this arrangement will best serve my purpose of prosecuting my causes of action against the defendants and preserve the trial schedule of the Court.

6. Due to the recent instability of my representation, I want by this declaration to assure the Court of my intentions even though it my understanding that Court approval is not required regarding the association of counsel.

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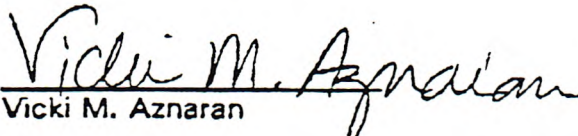
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I make the above statements upon personal knowledge, except where any statement is made upon information and belief, and could competently testify as to the matters stated herein if called upon to do so.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this Thirty-First day of July, 1991, at Dallas, Tx.


Vicki M. Aznaran

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VICKI J. AZNARAN
RICHARD N. AZNARAN

PLAINTIFF,

CASE NUMBER

CV 88-1786 JMI (Ex)

VS.

CHURCH OF SCIENTOLOGY OF
CALIFORNIA, ET AL.

DEFENDANT.

SUBSTITUTION OF ATTORNEY

VICKI J. AZNARAN
NAME OF PARTY

☒ PLAINTIFF ☐ DEFENDANT

HEREBY SUBSTITUTES JOSEPH A. YANNY, LAW OFFICES OF JOSEPH A. YANNY WHO I

☒ RETAINED COUNSEL ☐ COUNSEL APPOINTED BY THE COURT ☐ PRO PER

ADDRESS 1925 Century Park East, Suite 1260, Los Angeles, CA 90067

TELEPHONE (213) 551-2966

STATE BAR NUMBER 97979

AS ATTORNEY OF RECORD IN PLACE AND STEA

OF pro per

PRESENT ATTORNEY

DATED 4-6-27-91

x Vicki Aznaran
SIGNATURE OF PARTY

I HAVE GIVEN PROPER NOTICE PURSUANT TO LOCAL RULE 2.8 AND FURTHER CONSENT TO THE ABOVE
SUBSTITUTION.

DATED 4-6-27-91

x Vicki Aznaran
SIGNATURE OF PRESENT ATTORNEY

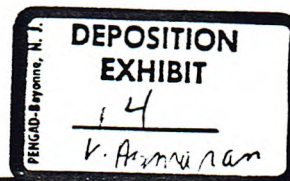
I AM DULY ADMITTED TO PRACTICE IN THIS DISTRICT.

DATED 28/6/91

[Signature]
SIGNATURE OF NEW ATTORNEY

APPROVED

UNITED STATES DISTRICT JUDGE



SUBSTITUTION OF ATTORNEY

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF

I have read the foregoing _____ and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am ☐ an Officer ☐ a partner _____ of _____

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☐ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on _____, 19____, at _____, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Type or Print Name

Signature

PROOF OF SERVICE

1013A (2) CCP Revised 3/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of LOS ANGELES, State of California.

I am over the age of 18 and not a party to the within action; my business address is: 1925 CENTURY
PARK EAST #1260 LOS ANGELES CA 90067

On JUNE 28, 1991, I served the foregoing document described as SUBSTITUTION OF ATTORNEY

_____ on INTERESTED PARTIES in this action

☒ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:
☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:

☒ BY MAIL

☒ I deposited such envelope in the mail at LOS ANGELES, California.
The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on JUNE 28, 1991, at LOS ANGELES, California.

☐ ***(BY PERSONAL SERVICE)** I delivered such envelope by hand to the offices of the addressee.

Executed on _____, 19____, at _____, California.

☒ (State) ... I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

JOHN KURESKO

Type or Print Name

STANDARD FORM NO. 616 REVISED 5-11-80
U.S. GOVERNMENT PRINTING OFFICE: 1980
*May be used in California State or Federal Courts

Signature
*BY MAIL SIGNATURE MUST BE OF PERSONAL DEPOSITED IN MAIL
*MAY NOT BE OF MAIL
**FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER

SERVICE LIST

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